

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.115

Civil Revision No.2674 of 2021

Date of Decision : November 10, 2021

Jagdish

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Rajesh Khandelwal, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The petitioner has filed a suit for injunction restraining the respondents from interfering in his possession and demolishing the construction. Along with the suit, application under Order 39 Rules 1 & 2 CPC was also filed. The said application has been dismissed and appeal has also been dismissed. The Courts below have held that the construction has been raised in a controlled area without taking permission and thus, no injunction can be granted. It has also been held that suit does not appear to be maintainable as the action of the defendants can be challenged before the concerned Tribunal.

Learned counsel for the petitioner submits that he may be permitted to withdraw the revision petition with liberty to avail any other appropriate remedy.

Dismissed as withdrawn with the aforementioned liberty.

November 10, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No