

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

112

**CR-3169-2021(O&M)
Date of Order: 07.12.2021**

MUNICIPAL CORPORATION CHANDIGARH THROUGH ITS
SUPERINTENDING ENGINEER (B AND R)

..Petitioner

Versus

JASBIR SINGH AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arvind Moudgil, Sr. Panel Counsel
for Union of India.

Mr. Jasbir Mor, Advocate
for respondents.

ANIL KSHETARPAL, J(Oral)

Heard the learned counsel representing the parties.

The learned trial Court has dismissed the application for permission to lead additional evidence. The defendant wants to lead in additional evidence, the demarcation report dated 09.02.2011. The plaintiff has filed the suit for recovery of Rs.25,00,000/-, as damages, as the defendant-Corporation(petitioner herein) has removed the alleged unauthorized encroachment and in that process, demolished major portion of the property of plaintiff, thereby causing him wrongful loss. The demarcation was carried out by the officials of the Corporation. The suit has remained pending for more than 7 years.

Furthermore, the defendant (petitioner herein) has failed to show how the aforesaid report was not in their knowledge, previously.

Keeping in view the aforesaid facts, the revision petition is disposed of with liberty to the petitioner to challenge the order assailed,

herein, in accordance with Order 43 Rule 1A while filing the appeal if the

case is decided against the Corporation.

All the pending miscellaneous applications, if any, are also disposed of.

December 07, 2021

(ANIL KSHETARPAL)
JUDGE

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No