

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

114

**CR-3936 of 2018 (O&M)
Date of decision: 01.09.2022**

Sohan Singh and another

..Petitioners

Versus

Harpal Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Nitish Garg, Advocate
for the petitioners.

ANIL KSHETARPAL, J(Oral)

The petition filed by the petitioners under Order XXI Rule 32 CPC, complaining wilful violation of an injunction decree dated 28.01.2003 has been dismissed by both the courts below. It has been held that the petitioners, have failed to prove the wilful violation of an injunction decree particularly when the same was based upon certain contingencies that never took place.

Admittedly, the petitioners have already filed a subsequent suit for the mandatory injunction for removal of the encroachment which is stated to be pending.

Hence, no ground to interfere is made out.

Dismissed.

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

September 01, 2022
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**(ANIL KSHETARPAL)
JUDGE**

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