

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

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**CR-1961-2022 (O&M)
Date of decision: 09.12.2022**

BALWANT SINGH

..Petitioner

Versus

IRRIGATION DEPARTMENT & ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anikit Joshi, Advocate
for the petitioner.

Mr. Sandeep Chopra, DAG, Punjab.

ANIL KSHETARPAL, J(Oral)

The plaintiff's plaint has been rejected while exercising the powers under Order VII Rule 11 of the Code of Civil Procedure, 1908. Initially, the plaintiff filed a Civil Suit No.191, dated 07.06.2007, seeking declaration with a consequential relief of permanent injunction with respect to the suit property. The suit was dismissed on 08.09.2009. The first appeal filed by the appellant was also dismissed on 22.03.2011.

The property is owned by the Punjab Irrigation Department. On an application filed under Section 3 and 5 of the Punjab Public Premises (Eviction and Land Recovery) Act, 1973, the petitioner was ordered to be evicted on 30.12.2008. The appellants' first appeal was dismissed on 18.08.2009. However, the appellant did not honour the ejectment order. The Punjab Irrigation Department filed an execution petition. The Assistant Collector Ist Class was in the process of providing the police help for the implementation of the order when the plaintiff filed the present suit. Both the Courts have passed the orders after noticing the aforesaid facts.

The learned counsel representing the petitioner though made sincere attempt, however, failed to draw the attention of the Court to any substantive error in the impugned order.

Hence, dismissed.

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

December 09th, 2022
Ay

(ANIL KSHETARPAL)
JUDGE

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