

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

CR-1220-2021 (O&M)

Date of decision: 17.03.2022

Dadri Education Society

....Petitioner

Versus

Smt. Saroj Devi and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. O.P.Goyal, Senior Advocate with
Ms. Parul Aggarwal, Advocate for the petitioner

Mr. Mukesh Goyal, Advocate for respondent no.1

Mr. Jeevan Gautam, Advocate for respondent no.2 and 3

ANIL KSHETARPAL, J (Oral)

During the pendency of the suit for grant of decree of permanent injunction, the court has permitted the plaintiff to continue with the construction over the vacant portion of the suit land.

Learned counsel representing the petitioner contends that the respondent (plaintiff) claims ownership to the extent of 17 marlas in a joint land measuring 71 marlas. He submits that he has no objection if the plaintiff is permitted to continue with the construction to the extent of 17 marlas. However, he submits that in the garb of the impugned order, the plaintiff should not be permitted to continue with the construction over the entire vacant land.

Learned counsel representing the plaintiff (respondent) submits that the petitioner, after having constructed over the remaining area, is creating hurdles in the construction of the plaintiff.

Keeping in view the aforesaid stand, it is considered

appropriate to dispose of the revision petition with direction to the Deputy Commissioner, Charkhi Dadri to depute a senior experienced revenue official to demarcate the entire joint area of 71 marlas. It is clarified that the plaintiff shall be permitted to continue with the construction over the area of 17 marlas only and the defendants shall not interfere in the aforesaid construction. Let the demarcation be carried out within a period of one week, from the date the certified copy of this order is produced before the Deputy Commissioner, Charkhi Dadri.

Disposed of.

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

17.03.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE