

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-6443-2018 (O&M)

Date of Decision :19.04.2023

Gram Panchayat Village Agwanpur

...Petitioner

Versus

Kanwar Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Diwan S. Adlakha, Advocate for the petitioner.

Mr. P.S. Jammu, Advocate for the respondent No.1.

* * *

Harsimran Singh Sethi, J. (Oral)

CM-6500-CII-2018

Application is allowed as prayed for.

CM-9748-CII-2019

Application is disposed of as infructuous as the main case is listed for today.

CR-6443-2018

Present petition has been filed challenging order dated 21.08.2018 (Annexure P/8) by which, an appeal preferred by the respondent No.1/plaintiff against the order passed by the trial Court dated 07.04.2018 (Annexure P/6) dismissing the application moved under Order 39 Rules 1 and 2 read with Section 151 of the CPC has been allowed and a direction has been given to the petitioner-Gram Panchayat to demolish the wall which has been constructed.

During the course of hearing, learned counsel for the parties agreed that the petitioner-Gram Panchayat will demolish the wall in case ultimately the suit filed by the respondent No.1/plaintiffs is allowed in their favour so as to accept their prayer to use the land in between the house of the respondent-plaintiff and the southern street.

Keeping in view the above, in view of the agreement between the parties noticed hereinbefore, order dated 21.08.2018 (Annexure P/8) passed by the lower Appellate Court is set aside. Parties will be bound by the undertaking recorded hereinbefore.

Present civil revision stands allowed in above terms.

CM-6502-CII-2019

Application is disposed of as such.

April 19, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No