

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 996 of 2023 (O&M)****Date of Decision: 17.07.2023**

The Director, Health & Family Welfare, Chandigarh Administration, U.T.

Chandigarh and Another

... Petitioner(s)

Versus

Sunil Kumar alias Suneel Kumar and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.Present: Mr. Gagandeep Singh Wasu and Mr. Parveen Chauhan,
Advocates, for the petitioner(s).Mr. Gaurav Chopra, Senior Advocate
with Mr. Vardaan Seth and Ms. Himani Jamwal, Advocates
for the respondent No.1.**Anil Kshetarpal, J.**

1. Though an interim order passed by this Court on 14.02.2023 is the subject matter of the Special Leave Petition No. 3688 of 2023 before the Supreme Court, however, the learned counsel representing the parties are *ad idem* that this revision petition is rendered infructuous in view of the subsequent development.

2. In a civil suit, an application for grant of temporary injunction was dismissed by the trial Court, however, the First Appellate Court reversed the aforesaid order passed by the trial Court.

3. On 14.02.2023, the operation of the order passed by the First Appellate Court was stayed. The Supreme Court, vide a detailed order passed on 17.02.2023, did not interfere with the aforesaid interim order

except to a limited extent.

4. In substance, the respondent was alleged to have encroached upon the area in excess of the property. The trial Court refused to protect the tenant's possession over the encroached area. However, the First Appellate Court granted protection. A coordinate Bench stayed the operation of the order passed by the First Appellate Court which was not interfered with in the Special Leave Petition. He was also alleged to have broken the load bearing wall of the leased premises. It is admitted by the learned counsel representing the parties that the aforesaid encroachment has been removed and the U.T. Administration has re-constructed the load bearing wall.

4. Hence, the present revision petition is disposed of with the agreement of the learned counsel representing the parties as having been rendered infructuous.

5. The miscellaneous application(s) pending, if any, shall also stand disposed of.

(Anil Kshetarpal)
Judge

July 17, 2023
"DK"

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No