

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

CR-1118-2022 (O&M)

Date of decision: 18.08.2023

Gram Panchayat Village Malout

..Petitioner

Versus

Jatinder Singh and others

.Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Chandan Singh, Advocate for the petitioner

Mr. B.S.Aulakh, Advocate for respondent no.1

ANIL KSHETARPAL, J (Oral)

1. This revision petition arises from the judgment passed by the First Appellate Court while deciding a miscellaneous appeal. The original application filed by the respondent (plaintiff in the trial court) under Order XXXIX Rule 1 &2 of the Code of Civil Procedure, 1908, was dismissed. However, in the miscellaneous appeal, the First Appellate Court has granted an injunction in favour of the plaintiffs on the ground that the Gram Panchayat has admitted possession of the respondent for the last 45 years.

2. Learned senior counsel representing the petitioner contends that there is no admission by the Gram Panchayat to this effect.

3. At this stage, the learned counsel representing the respondent submits that the construction work of the boundary wall of the pond has already been completed by the Gram Panchayat and he will not interfere in the use of the passage which is pleaded to be near the pond.

4. Keeping in view the aforesaid facts, learned counsel representing the petitioner submits that the revision petition be disposed of accordingly.
5. Ordered accordingly.
6. All the pending miscellaneous applications, if any, are also disposed of.

18.08.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE