

[2023:PHHC:036973]

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

**COCP-1996-2020 (O&M)
Date of decision: 03.03.2023**

Sukhwinder Singh

...Petitioner

Versus

C. Chandra and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Bhupinder Kaur, Advocate
for the petitioner.

Mr. Ajit Singh Natt, AAG, Punjab.

Mr. Abhilaksh Gaiind, Advocate
for respondent Nos. 2 and 3.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner alleges violation of the order dated 04.10.2008, passed by this Court in CWP-4886-2003, vide which a general direction was issued to the Municipal Corporation for removing the encroachment from the panchayat land.

Admittedly, Gurwinder Singh has filed a civil suit seeking declaration that he is the owner of the land underneath property and the petitioner has moved an application under Order 1 Rule 11 CPC for being impleaded as a party in the said suit.

In view of the same, since the petitioner is availing his alternative and efficacious remedy before the civil Court, which will decided whether the land is owned by the Municipal Corporation or by said Gurwinder Singh, no case of any willful disobedience is made out against the respondents.

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Accordingly, the present petition is disposed of.

Rule stands discharged.

The petitioner is granted liberty to avail the alternative remedy,
in accordance with law, if so advised.

03.03.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No