

In the High Court of Punjab and Haryana, at Chandigarh**Execution Second Appeal No. 63 of 2023 (O&M)****Date of Decision: 15.12.2023**

Gram Panchayat Village Laliyani

... Appellant(s)

Versus

Radhey Sham and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Pankaj Bali, Advocate
for the appellant(s).

Anil Kshetarpal, J.

1. This is the Execution Second Appeal filed by the Gram Panchayat of village Laliyani. The third party objection filed by the Gram Panchayat has been dismissed by the Executing Court, which, in appeal, has been affirmed by the First Appellate Court. It is evident that the appellant has misused the process of the Court.

2. In this case, the plaintiff's suit for the grant of decree of mandatory injunction directing the defendants to remove encroachment from the passage was decreed by the Civil Court. The aforesaid decree was sought to be implemented. It is obvious that the aforesaid decree was in the interest of the Gram Panchayat. Still, the Gram Panchayat filed the objection petition. Both the Courts below have found that in the execution petition, the demarcation has been carried out and the encroachment is sought to be removed.

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appellant has failed to provide any justification for the Gram Panchayat to file the objections as well as the first appeal and the second appeal.

4. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned order. Hence, the present appeal is dismissed.

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

(Anil Kshetarpal)
Judge

December 15, 2023
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No