

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

129

2024:PHHC:050174

CR-908-2021

Date of decision: 15.04.2024

SWARAN SINGH

..Petitioner

Versus

KARTAR KAUR AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashwani Sharma, Advocate
for the petitioner.

Mr. Jashandeep Singh Bains, Advocate
for Ms. Aarti Gupta, Advocate
for respondent No.1.

Mr. Vikash Chatrath, Advocate
and Mr. Akshat Kalia, Advocate
for respondent No.3 and 4.

ANIL KSHETARPAL, J(Oral)

1. Smt. Kartar Kaur, Sh. Garibu and Sh. Bhagat Singh filed suit for grant of decree of permanent injunction restraining defendant No.1 and 2 from raising constructions or from creating obstruction in usage of the passage. It was claimed that it is a public passage and the defendants have no right to obstruct its users.

2. The civil suit was dismissed by the trial Court, however, reversed by the First Appellate Court resulting in decree for injunction in favour of the plaintiffs. In the execution proceedings, the impugned order was passed by the Executing Court on 14.03.2016 directing survey of the area and implementation of decree.

3. The learned counsel representing the decree holders submits that he does not wish to proceed with the execution petition and the same

has already been dismissed as withdrawn vide order dated 29.09.2023. An attested copy of the aforesaid order has also been placed on file.

4. Keeping in view the aforesaid facts, the revision petition is dismissed as infructuous, however, the impugned order will cease to operate.

5. All the pending miscellaneous applications, if any, are also disposed of.

April 15th, 2024

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(ANIL KSHETARPAL)
JUDGE

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