

127 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-1188-2021(O&M)
Date of decision :05.04.2024

Jaspal Singh ...Appellant

Vs.

Executive Engineer and others ...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. I.S. Brar, Advocate
for the appellant.

ANIL KSHETARPAL, J. (Oral)

1. This is the plaintiff's regular second appeal to challenge the correctness of judgment and decree passed by the First Appellate Court, which in turn has reversed the judgment and decree passed by the trial Court. The plaintiff filed a suit for mandatory injunction directing the defendants to remove two pillars, which have been constructed on 18.12.2014. In substance, the plaintiff claimed that the respondent should not complete the construction of road. The defendants while contesting the suit claimed that the road had already been made and metalled and the pillars are at proper place. Somehow, the trial Court decreed the suit, however, the First Appellate Court reversed the same. It has been found that the passage was already visited, which was subsequently, metalled by the Government in the year 2003. Thereafter, the road was repaired in the year 2012.

2. In these circumstances, the judgment of the trial Court has been reversed by the First Appellate Court.

3. Learned counsel representing the appellant though made a sincere

attempt, however, failed to draw the attention of the Court to any substantive error in the judgment passed by the First Appellate Court.

- 4. Hence, no ground for interference is made out.
- 5. Dismissed.

05.04.2024		(ANIL KSHETARPAL)	
		JUDGE	
neeraj	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No