



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

290

CR No.677 of 2025 (O&M)
Date of Decision :10.07.2025

Dharampal

.....Petitioner

Versus

Satbir @ Bhira

..... Respondent

CORAM: HON'BLE MR.JUSTICE VIKRAM AGGARWAL

Present : Mr. Sukhdeep Singh, Advocate for the petitioner.

None for the respondent.

VIKRAM AGGARWAL, J. (Oral):

The present revision petition, preferred under Article 227 of the Constitution of India, assails the order dated 14.01.2025 (Annexure P-5) vide which an application moved by the petitioner for police help was dismissed.

2. The petitioner instituted a suit (Annexure P-2) for permanent and mandatory injunction against the respondent-Satbir. The said suit was decreed vide judgment and decree dated 22.02.2022, passed by the Court of Civil Judge (Jr. Divn.), Karnal. The respondent was restrained from causing any kind of interference in the use of common wall shown as 'DF' in blue colour in the site plan to the extent that the use of the wall by the petitioner/plaintiff would not cause any prejudice to the respondent/defendant.

3. An execution petition (Annexure P-3) was filed by the petitioner stating that he wanted to place iron girder on the wall in dispute for putting wooden karis. It was averred that the petitioner/plaintiff wanted to cover the open space by constructing a roof for which the placing of iron girder was



required. However, he was not permitted to do so, as a result of which, the execution petition was filed.

4. During the pendency of the execution petition, an application (Annexure P-4) was filed seeking police help, for implementing the judgment and decree dated 22.02.2022. The same ground was taken in the application.

5. The application was dismissed by way of the impugned order dated 14.01.2025 leading to the filing of the instant revision petition.

6. I have heard learned counsel for the petitioner.

7. Though on the last date of hearing Mr. Nitish Sharma, Advocate had put in appearance on behalf of the respondent, no one has appeared today.

8. Learned counsel for the petitioner submits that though a decree had been passed in his favour and the respondent had been restrained from interfering in his use of the wall, the respondent is not permitting him to place the iron girder as he wants to construct a roof over the upper portion in his area. He submits that for the said purpose, police help is required.

9. Learned counsel submits that that even if police help is not provided, he may be permitted to place the iron girder so that he can construct a roof in the empty portion.

10. I have considered the submissions made by learned counsel for the petitioner.

11. Vide judgment and decree dated 22.02.2022, the following relief was granted:-

“24. As a sequel to my fere-going discussions, the suit of the plaintiff is decreed partly with no order as to costs to the effect that the defendant is restrained from causing any kind of interference in the use of common wall shown with marks DF in blue colour in the site plan Ex.P1 as well as in the photograph Ex.PW2/A to the extent



that use of plaintiff shall not cause any prejudice to the defendant. Degree sheet be prepared accordingly and the file be consigned to the record room after due compliance.”

12. In the execution petition as also in the application, it was prayed that the petitioner be permitted to place iron girder as he wanted to construct a roof in the open portion which the respondent was not permitting him to do. The executing Court found that the no detail of any interference had been given and, therefore, no question of granting any police help arose.

13. I do not see any illegality in the order, for, police help cannot be granted at the mere asking. The petitioner already has a decree in his favour. Still further, in the execution proceedings he may eventually prove what kind of interference is being caused by the respondent. In any case, the petitioner can always raise construction in his own portion and abide by the directions passed by the trial Court while decreeing the suit on 22.02.2022.

14. In the considered opinion of this Court, the apprehension of the petitioner and the grievance was unfounded, as far as seeking of police help is concerned.

15. That being so, I do not find any reason to interfere in the impugned order. The revision petition is accordingly dismissed.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

10.07.2025

Manoj Bhutani

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