



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

CR-6919-2025(O&M)
Date of decision: 21.11.2025

Era Residential Welfare Association Sirsa

... Petitioner

Versus

Assistant Executive Engineer, Grid Const. Sub Division HVPNL, Sirsa and
others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Ms. Prabhjot Kaur Virk, Advocate,
for the petitioner.

Mr. Sukhdeep Singh Parmar, Advocate,
for the respondents.

VIKRAM AGGARWAL, J. (Oral)

The instant revision petition, preferred under Article 227 of the Constitution of India, assails order dated 03.09.2025 (Annexure P-1), passed by the Court of Additional District Judge, Sirsa, dismissing the appeal preferred against order dated 21.07.2025 (Annexure P-2) passed by the Court of Civil Judge (Jr. Divn.), Sirsa, vide which the application moved by the petitioner/plaintiff under Order XXXIX Rules 1 & 2 of the Code of Civil Procedure, 1908 (for short, 'CPC') for the grant of *ad interim* injunction was rejected.

2. For the sake of convenience, parties shall be referred to as per their original status.

3. The facts, as emanating from the revision petition, are that a civil suit (Annexure P-3) was instituted by the plaintiff for permanent injunction restraining the defendants from shifting the already existing and installed electricity tower from nearby the main gate of the petitioner-



Society to the park (green belt) situated within the residential area of the said Society. The case set up by the plaintiff was that an electricity tower already stood installed near the main gate of the Society and the same was connected to the electricity line coming from the side of Sector 21, HUDA, Sirsa (shown at point 'C' in the site plan). It was averred that more than 1000 people are living in the Society and the said green park was established for the use of inhabitants of the residential area. The same was being used by the elderly for taking walks and by children for playing.

3.1 It was further averred that the defendants, with a view to enhance the power capacity of the electricity line, were intending to replace the towers and, in order to implement the same, they had constructed a foundation (shown as point 'D' in the site plan). Similarly, another foundation at point 'B' was being constructed, which is situated in the middle of the green belt. The case of the plaintiff is that on account of construction of the tower, the green belt would be ruined.

3.2 The suit was accompanied by an application under Order XXXIX Rules 1 & 2 CPC seeking *ad interim* injunction.

4. Vide order dated 21.07.2025, the application for *ad interim* injunction was rejected. Aggrieved by the same, an appeal was preferred, which has also been dismissed by way of order dated 03.09.2025, leading to the filing of the present revision petition.

5. I have heard learned counsel for the parties.

6. Since the tower in question is to be erected in the green belt, an effort was made to get the tower shifted to some other location. The matter was examined by the concerned Officers, and it has been submitted that, at



best, the tower can be shifted to a point near the roundabout, as shown in the plan presented during the course of hearing. Learned counsel for the petitioner, after having sought adjournment in the matter for the purpose of seeking instructions, submits that the residents of the area are not willing for the tower to be shifted near the roundabout. She submits that the tower be shifted a little further, near the corner of a private land in the area.

7. Mr. Parmar, on instructions from Mr. Kuldeep Dhanda, Assistant Executive Engineer, who is present in Court, submits that it would not be technically feasible to do so, as the distance between two towers would exceed more than 250 meters, which would be in violation of norms.

8. I have gone through the impugned orders and find no infirmity in the same. It has to be borne in mind that these are technical issues. Whereas, on one hand, endeavour should be made to protect green belts, the respondents cannot be directed or expected to shift transmission lines and towers beyond a certain point.

9. That being so, the impugned orders are not found to be suffering from any illegality. Accordingly, the instant revision petition is found to be devoid of merit and is hereby dismissed.

10. Pending application(s), if any, also stands disposed of.

(VIKRAM AGGARWAL)
JUDGE

November 21, 2025

Rajan

Whether speaking / reasoned:
Whether Reportable:

Yes/No
Yes/No