

CIS No. CS/2/2018

Rambhaj Vs. Gram Panchayat

Present: Sh. B.S. Malik, Advocate for the plaintiff.
Sh. R.L. Singla, Advocate for the defendant.

Arguments heard on the injunction application. Local commission was appointed by this court and on 05.03.2018, report was received. As per the report, plaintiff himself was found to be in unauthorized possession of khasra No. 655 which is a public street. It means that prima-facie plaintiff has not approached this court with clean hands. The claim of plaintiff is that defendant has no concern with the house of plaintiff but it wants to demolish the house of plaintiff illegally. Since the demarcation report does not suggest that defendant Gram Panchayat is bent upon to illegally demolish the suit property, plaintiff has no prima-facie case in his favour. Balance of convenience too does not lie in favour of plaintiff as plaintiff himself is an encroacher of the public land and he is not entitled for any injunction order. In these circumstances, the injunction application has no merit and it is dismissed.

No PW is present. The case is adjourned to 11.12.2018 for evidence of plaintiff at own responsibility.

(Manglesh Kumar Choubey)
ACJ(SD), Gohana.
HR0288

Date of Order: 26.09.2018

Parveen Kumar Chandna

Next Date of Hearing: 11.12.2018

Purpose: _____