



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

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**CR-2675-2025 (O&M)
Decided on: 06.08.2025**

Manglu @ Puran Singh (Deceased) through LRs and another . . . Petitioners

Versus

Chamel Singh (Deceased) through LRs and others . . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Vikram Singh, Advocate and
Mr. Abhinav Sood, Advocate
for the petitioners.

Mr. Sachin Mittal, Advocate and
Mr. Parth Sharma, Advocate
for respondent No.1.

Mr. Amit Jaiswal, Advocate
for respondent No.2.

VIKAS BAHL, J.(ORAL)

1. The present Civil Revision Petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 28.01.2025 (Annexure P-6) passed by the Additional District Judge, Karnal as well as the order dated 03.12.2018 (Annexure P-4) passed by Civil Judge (Jr. Divn.), Karnal.

2. On 12.05.2025, this Court was pleased to pass the following order:-

*“Present: Mr. Vikram Singh, Advocate and
Mr. Tanmay Kadian, Advocatae
for the petitioners.*

Notice of motion for 22.05.2025.

*Liberty is granted to the petitioners to serve the
respondents through dasti process as well as through counsel
appearing in the trial Court.*



To be shown in the urgent list.

Construction, if any raised, would be subject to the decision of the present revision petition and would also not create any equity in favour of the respondents in the suit.

May 12, 2025”

2. Learned counsel for the petitioners has reiterated the submissions raised on 12.05.2025.

3. Learned counsel for respondent No.1 has submitted that respondent No.1 be permitted to raise the construction and be also permitted to raise all the pleas available to them in the suit so as to show that the suit is not meritorious and has further submitted that respondent No.1 would not raise the plea of equity on the ground of his having raised the construction during the pendency of the case, for the dismissal of the suit. It is further submitted that however, the same should not be construed as estoppel against the respondent No.1 from raising all the pleas which are available to them for dismissal of the suit.

4. Learned counsel for the petitioners, in rebuttal, has submitted that he may also be permitted to raise all the pleas in order to show that the suit is meritorious and the mere raising of construction by the respondent No.1 should not be treated as a point in favour of the respondent No.1 for dismissal of the suit.

5. Keeping in view that abovesaid facts and circumstances and the fair stand take on behalf of the learned counsel for the petitioners as well as counsel for respondent No.1, the present petition is disposed of with the following observations:-



- (i) It would be open to the respondent No.1 (through LRs) to raise construction on the land which is in their possession. The raising of the said construction would not create any equity in favour of the respondent No. 1 (through LRs) for the purpose of final adjudication of the civil suit.
- (ii) The civil suit would be decided by the trial Court on the basis of pleadings, evidence and documents on record and after hearing both the parties concerned, un-influenced with the fact that the respondent No.1 has raised construction on the property in question during the pendency of the suit.

06.08.2025

Mehak

*Whether reasoned/speaking?
Whether reportable?*

**(VIKAS BAHL)
JUDGE**

*Yes/No
Yes/No*