

SA No. 45 of 2009

Hon'ble Servesh Kumar Gupta, J.

Mr. M.C. Pandey, Sr. Advocate assisted by Mr. Devesh Upreti, Advocate for the appellant/plaintiff.

Mr. Pradeep Hairiya, Advocate for the respondents.

Having heard the learned Senior Counsel for the appellant on miscellaneous application and perused the contents of affidavit and the photographs enclosed therewith, this Court restrains all the defendants to make any further construction on the disputed site more than what has been displayed in the photographs (annexure no.1) enclosed with the affidavit of Mr. Inder Lal dated 06.06.2016.

If the defendant dares to raise any further construction, then appellant/plaintiff shall be at liberty to lodge an FIR against him to the Police Station seeking the aid/assistance of concerned SHO and he shall be duty bound to go on the spot to take appropriate steps against the

defendant to ensure the compliance of the directions of this Court.

List this matter in the month of September, 2016 for final hearing.

Let a certified copy of this order be provided to learned counsel for the parties today itself on payment of usual charges.

Stay application (CLMA No.6579 of 2009) as well as miscellaneous application (CLMA No.5664 of 2016) stands disposed of accordingly.

(Servesh Kumar Gupta, J.)

10.6.2016

Ravi