

Manohar Lal Mulwani Vs Punjab State Corporation Bank Ltd.

Court: Supreme Court of India

Date of Decision: Feb. 8, 1994

Citation: (1995) 4 SCC 71 Supp

Hon'ble Judges: S. Mohan, J; M. K. Mukherjee, J

Bench: Division Bench

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

1. Having heard learned counsel for the appellant Mr. G.L. Sanghi and learned counsel for the respondent - Mr. Arvind Kumar, we are of the

view that both the appellate court and High court had gone wrong in coming to the conclusion that installation of an exhaust fan in a canteen would

amount to nuisance. Law cannot be reduced to this pedantic level. Therefore, the impugned judgments are set aside. The eviction petition will stand

dismissed. The appeal is allowed. However, we may add inasmuch as Mr. Sanghi, learned counsel for the appellant, states that the exhaust fan

which is a source of nuisance"" has already been removed. Even otherwise, the appellant undertakes to remove the same within a week from

today. We record this undertaking.