

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.4768 of 2015 (O&M)
Date of Decision.19.08.2015

Smt. Saroj and others

.....Petitioners

Versus

Randhir Singh and another

.....Respondents

Present: Mr. Rajeshwar Singh, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. A purchaser from a co-owner Mange Ram wanted to put up construction and the other co-owners of the property sought for injunction. The trial Court declined the relief and the Appellate Court has allowed for the same. The purchaser files a copy of sale deed to show that his vendor had identified the property. That identification cannot still help the purchaser, for, it is a case where the property remains undivided between them and they have put up construction in various parcels of land for their convenience. So long as co-owners had objection to the purchase of a specific portion of undivided share and would seek for injunction, there will be only remedy for the purchaser to apply for general partition and make the plea for equitable allotment of the particular share purchased to be allotted to the share of the alienating co-owner. Till such right is exercised, a relief of injunction granted by the Court was perfectly justified.

2. I find no reason for interference in the revision petition.

The revision petition is dismissed.

(K. KANNAN)
JUDGE

August 19, 2015
Pankaj*