

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

**CR No.8075 of 2015
Date of decision: 01.12.2015**

Kuldeep Singh and another

....Petitioners

Versus

The Ravidas Co-operative House Building Society Limited

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Arjun Veer Sharma, Advocate
for the petitioners.

RITU BAHRI J. (Oral)

The petitioners have come up in revision for setting-aside the order dated 07.10.2015 (Annexure P-4), passed by Additional District Judge, Ludhiana, whereby the Lower Appellate Court has allowed the appeal against the order dated 24.03.2015, passed by Civil Judge (Jr. Division), Ludhiana, vide which the application under Order 39 Rule 1 and 2 read with Section 151 CPC moved by the plaintiff has been dismissed.

The petitioners/respondents have earlier filed a suit against the respondent/appellant- Ravidas Co-operative Society restraining him from encroaching upon the land in ownership of the present petitioners/respondents.

The Lower Appellate Court in Paragraph 12 of the impugned order has observed that on 19.08.2015, *jamabandi* of the suit land comprising Khasra No.70/26 i.e. 1 kanal 0 marla, was produced on 02.09.2015, relating to the suit land for the year 2006-07, issued by Patwari Halqa on 31.08.2015. As per the *jamabandi* in the above-said khasra number, the respondent/appellant- Ravidas Society has been recorded as co-sharer to the extent of 165/168 share and the remaining 3/168 share has been recorded in the name of Rajinder Kaur wife of Bhag Singh son of Puran Singh. The present petitioners/respondents were not recorded in the revenue record either as co-sharer or in possession of any part of the suit land and this fact could not be disputed by the petitioners/respondents.

So, keeping in view the above facts and circumstances, the order dated 07.10.2015, passed by Additional District Judge, Ludhiana, does not call for any interference by this Court.

Dismissed.

(RITU BAHRI)
JUDGE

01.12.2015

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