

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

Date of decision:16.02.2015.

Smt.Amina and another

.....Petitioners

v.

Suleman and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Babbar Bhan,Advocate for the petitioners

Jaswant Singh,J.(Oral)

Defendants 4 and 10 are in revision against concurrent orders passed by both the Courts below whereby temporary injunction application of the respondents/plaintiffs restraining the defendants from interfering in the possession of the plaintiffs over the suit land was allowed vide order dated 1.4.2014 (P-3) passed by Civil Judge (Junior Division) Hathin and duly affirmed vide order dated 15.11.2014 (P-4) passed by learned Additional District Judge, Palwal while dismissing the appeal of the petitioners/defendants.

Having heard learned counsel for the petitioners, this Court finds no ground to invoke the revisional jurisdiction under Article 227 of the Constitution.

It is conceded that the respondents/plaintiffs vide registered sale deed dated 2.4.1966 had become owners in possession of agriculture land measuring 46 kanals having purchased it from the

original owners. Mutation No.4622 dated 6.10.1966 was also entered. It is also conceded that the original owners, in total, owned land measuring 87K9M and prior to the sale in favour of ancestors of the plaintiffs the remaining 41K9M were sold to third party vide various sale deeds. Thus, the owners would be left with no right, title or interest which they allegedly sold to defendants 4 and 10 vide sale deeds dated 17.9.2013, 1.3.2013 and 30.10.2012. It is apparent that by mistake 4 kanals in killa no.8/2 was wrongly shown to be belonging to the original owners, which appears to have been sold to defendants 4 and 10. It is further apparent from the order of the lower Appellate Court that the necessary rectification in the revenue record was subsequently made. Both the Courts below, thus, have rightly granted temporary injunction in favour of the plaintiffs and against the defendants on the basis of the consistent revenue record in favour of the plaintiffs.

Dismissed.

16.02.2015
joshi

(Jaswant Singh)
Judge