

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.1262 of 2012
Date of decision: 28.11.2015

Kavita

... Appellant

Versus

Vijay Kumar and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. RS Budhwar, Advocate for the appellant.
Mr. Anshul Mangla, Advocate for respondent No.1.

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?

ARUN PALLI J. (Oral)

Suit filed by the plaintiff was dismissed by the trial court vide judgment and decree dated 13.04.2010. As even an appeal preferred against the said decree failed and was dismissed vide judgment dated 23.01.2012, plaintiff is before this court vide this regular second appeal. Parties to the lis, hereinafter, would be referred to by their original positions in the suit.

Plaintiff prayed for a decree for injunction restraining the defendants, who happened to be her husband and father-in-law, respectively, from alienating the residential house and a plot shown by letters EFGH and ABCD in the site plan appended with the plaint.

On a due and comprehensive consideration of the matter in issue, both the courts concurrently concluded that nothing was brought on record, least any cogent or credible evidence, to show that the suit property was indeed owned by Vijay Kumar (defendant No.1), husband of the plaintiff, or was even a joint Hindu family property. That being so, the only and inevitable conclusion the courts could arrive at was to decline the injunction prayed for.

Learned counsel for the appellant could not point out as to how the conclusions that had concurrently been recorded by both the courts were either contrary to the position on record or suffered from any material illegality. No other argument was advanced.

That being so, there hardly exists any ground, least plausible in law, to interfere with the decree being assailed. No question of law, much less any substantial question of law, arises for consideration. Appeal being devoid of merit is accordingly dismissed.

November 28, 2015
Rajan

(Arun Palli)
Judge