

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

RSA No.1457 of 2012
Date of decision : 03.11.2015

Urban Improvement Company Pvt. Ltd.

...Appellant

Versus

Municipal Corporation Faridabad and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

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

Present: Mr. Vaneet Soni, Advocate for the appellant.

Mr. Jasbir Mor, Advocate for respondent Nos.1 and 2.

AMIT RAWAL, J. (Oral)

The appellant-plaintiffs is in Regular Second Appeal against the findings rendered by both the Courts below, whereby relief qua mandatory injunction vis-a-vis removal of the boundary wall, has been declined. Though, defendants have been enjoined not to interfere into peaceful possession of the suit land as it belongs to the plaintiffs.

The appellant-plaintiff was required to discharge the onus by leading direct and cogent evidence, in essence, effective opportunity to prove as to whether boundary wall raised on its land or on the

land of the respondents-defendants. In the absence of the demarcation report, the Courts below could not grant the mandatory injunction.

I do not find any illegality and perversity in the aforementioned findings, much less, no substantial question of law arises for determination.

Appeal is dismissed.

03.11.2015

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**(AMIT RAWAL)
JUDGE**