

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

RSA No.3198 of 2012 (O&M)
Date of Decision: 5.10.2015

Ajit Singh

...Appellant

Versus

Sukhdev Singh and another

.....Respondents

CORAM: Hon'ble Mr. Justice Rajesh Bindal

Present: None for the appellant.

RAJESH BINDAL, J.

The plaintiff is before this Court against concurrent findings of fact recorded by both the courts below, whereby the suit filed by him for declaration and permanent injunction, was dismissed.

The appellant sought declaration to be owner in possession of the suit property, which he had sold to the defendants vide registered sale deed dated 4.6.2001. Both the courts below dismissed the suit finding no merit therein. The judgment of the lower appellate court is dated 31.1.2012. Ever since the appeal was filed in the Court, the same is being adjourned either in the absence or on request of counsel for the appellant. On the last date of hearing, no one was present for the appellant. Today, the case was taken up twice, however, none has appeared for the appellant.

As arguments on merit have been addressed the appeal is dismissed. Consequently, the accompanying applications are also dismissed. For the purpose reference can be made to the judgment of Hon'ble the Supreme Court in Poonam v. Sumit Tanwar, 2010 (4) SCC 460.

**(RAJESH BINDAL)
JUDGE**

5.10.2015

sharmila