

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

**CM No. 6003/C of 2015 and
RSA No. 454 of 2012 (O&M)**

Date of decision : 25.5.2015

Balbir Ram and another

.. Appellants

versus

Pritam Singh

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. C. L. Sharma, Advocate, for the appellants.
Mr. Naveen Batra, Advocate, for the respondent.
Mr. P. S. Bajwa, Deputy Advocate General, Punjab.

Rajesh Bindal, J.

The defendants are before this Court against concurrent findings of fact recorded by both the Courts below whereby the suit for possession filed by the respondent-plaintiff, was decreed.

The defendants claimed themselves to be owners of the land in dispute. On 6.4.2015, the following order was passed:-

“The dispute in the present case is regarding demarcation of the land situated at the boundary of village Bhagotipur, Tehsil Dasuya, District Hoshiarpur. Though the learned court below got the demarcation carried out by appointing a local commissioner, who was an advocate, but the revenue authorities would have been the better choice for demarcation of the land in such circumstances.

Mr. Piyush Bansal, learned Deputy Advocate General, Punjab, is requested to get the demarcation of the land to find out the correct position. Copy of the paper book has been handed over to him. He shall also find out the feasibility of land at the boundaries of two revenue estates being in a straight line as consolidation has probably been completed in the entire State.”

The report of the Naib Tehsildar, Tanda, Tehsil Dasuya, District Hoshiarpur, has been received. It has been stated therein that 7 marlas of land owned by the respondent is in possession of the appellants.

Learned counsel for the appellants did not dispute the aforesaid demarcation as the same was carried out in the presence of the appellants.

Considering the fact that even in the fresh demarcation as ordered by this Court, 7 marlas of land owned by the respondent was found in possession of the appellants, for which decree was passed by the learned Courts below, I do not find any reason to interfere with the concurrent findings of fact recorded by both the Courts below.

No substantial question of law arises. The appeal is accordingly dismissed.

25.5.2015
vs

(Rajesh Bindal)
Judge