

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

RSA No. 1880 of 2013 (O&M)
Date of Decision : 05.10.2015

Jarnail Singh

....Appellant

Versus

Harbhajan Singh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Arora, Advocate
for the appellant.

Surinder Gupta, J. (Oral)

Heard.

After having lost the suit seeking relief of injunction against *Gram Panchayat* with regard to property measuring 6 *kanals* 12 *marlas* bearing *khasra* no. 571 situated in village Rahal Chahal, Tehsil Khadoor Sahib, District Tarn Taran, the plaintiff-appellant filed the suit against private persons of that village and the revenue officials seeking similar relief of injunction.

This fact is not disputed that the suit land belongs to *Gram Panchayat* and possession was delivered to *Gram Panchayat* in execution proceedings. Plaintiff-appellant while appearing as PW-1 admitted that *Gram Panchayat* after taking possession with police help had constructed a building on the suit property. On record defendants had produced copies of judgment dated 27.02.2003 (Ex. D-1), decree-sheet Ex. D-2 and the copies of other civil and revenue proceedings.

Learned counsel for the appellant has fairly conceded that the judgment in the suit earlier filed by the plaintiff against *Gram Panchayat* has since attained finality.

Keeping in view the fact that *Gram Panchayat* is owner in possession of the suit property, the claim of plaintiff-appellant against private respondents and Government officials, is not maintainable. No reason is made out to interfere with the findings of Courts below holding the plaintiff as not in possession of the suit property.

No question of law, what to talk of substantial question of law requiring determination, arises in this appeal, which has no merit.

Dismissed.

October 05, 2015
jk

(SURINDER GUPTA)
JUDGE