

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No. 1881 of 2013 (O/M)
Date of decision : 30.9.2015

Smt. Murti and others

..... Appellants

Versus

Lal Chand

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- None for the appellants.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

None is present on behalf of the appellants, despite third call.

Impugned in the present regular second appeal is judgment and decree dated 16.11.2012, passed by the learned District Judge, Narnaul, vide which the judgment and decree of the lower Court was modified to the effect that the plaintiff will also have right to passage as *rasta* for carrying any agricultural equipments etc. Learned Civil Judge (Junior Division), Narnaul, vide judgment and decree dated 17.11.2010, had granted permanent injunction in favour of the plaintiff by partly decreeing the suit, whereby the

RSA No. 1881 of 2013 (O/M)

-2-

defendants were restrained from obstructing the plaintiff from the use of disputed 2 karam land towards eastern side of the suit land. Further, it was directed that the plaintiff will have only right to passage by foot but will have no right to passage as *rasta* for the purpose of carrying any agricultural equipments etc.

None has appeared for the appellant, despite third call. Even on the last date of hearing, none had appeared for the appellant.

I have gone through the judgments and decrees of both the Courts below. The perusal of the judgments and decrees of both the Courts below shows that there was a dispute regarding passage, which has been determined by both the Courts below. The defendants are now in regular second appeal. The findings of facts have been recorded by both the Courts below. No substantial question of law arises in the present appeal. Hence, the present appeal is dismissed.

(KULDIP SINGH)
JUDGE

30.9.2015
sjks