

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

**RSA No.3146 of 2013 (O&M)  
Date of Decision.13.08.2015**

|                      |        |                  |
|----------------------|--------|------------------|
| Bhupinderpal         | Versus | .....Appellant   |
| Kesho Ram and others |        | .....Respondents |

Present: Mr. RVS Chugh, Advocate  
for the appellant.

**CORAM:HON'BLE MR. JUSTICE K. KANNAN**

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

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**K. KANNAN J. (ORAL)**

1. Delay of 38 days in filing the appeal is condoned.
2. The defendant who resisted an action for injunction brought at the instance of co-owners on plea that he is himself co-owner along with the plaintiffs and therefore, injunction cannot be granted. The defendant was admittedly a stranger to the family of co-owners and as a purchaser if the other co-owners are not willing for being disturbed in their possession, the only remedy of such purchaser shall be to sue for general partition and seek for allotment of a share to his vendor which could be enjoyed by him. An arrangement amongst the co-owners before sale cannot be persisted by a purchaser if the other non-alienating co-owners are not willing to accommodate such a purchaser. The relief of injunction was perfectly competent and I will no reason for intervention.
3. The second appeal is dismissed as setting up no substantial question of law for consideration.

**(K. KANNAN)  
JUDGE**

**August 13, 2015**

**Pankaj\***