

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

RSA No. 3522 of 2013 (O&M)
Date of decision: September 18, 2015

Ramesh Chand

...Appellant

Versus

Ram Kumar and another

...Respondents

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?

Present: Mr. Parminder Singh, Advocate,
for the appellant.

K. KANNAN, J. (Oral)

1. The plaintiff who sought for injunction in respect of 5 marlas obtained relief in respect of 4 marlas of land and the courts declined the relief for 1 marla on the ground that a plan drawn after the inspection by the Local Commissioner revealed that there are public roads running on either side of a particular item shown as a gali and it was not possible to grant the relief of injunction in respect thereof. The courts below, however, reserved to the plaintiff a right to seek for possession of the same in accordance with law.

2. The courts below have appreciated the issue correctly as regards the character and the present user of the property to decline the relief of injunction and has also at the same time reserved liberty to the plaintiff for working out for relief for possession, if such plea is tenable. The impugned judgments do not call for any intervention in the second appeal. The second appeal is dismissed being devoid of merit.

September 18, 2015
prem

(K.KANNAN)
JUDGE

