

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Regular Second Appeal No. 54 of 2013 (O&M)
Date of decision: 28.4.2015

Gram Panchayat Sampla

.. Appellant

v.

Anar Singh

.. Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Deepak Balyan, Advocate for the appellant.
Mr. Mahavir Sandhu, Advocate for the respondent.

...

Rajesh Bindal J.

The defendant is before this court against concurrent findings of fact recorded by both the courts below, whereby in a suit for permanent injunction filed by the respondent-plaintiff, it was directed that the respondent being in possession of the suit land be not dispossessed from the suit property unless in due course of law.

In the case in hand, the respondent filed a suit for permanent injunction restraining the appellant from forcibly dispossessing him from the suit land being in possession thereof from 1985 onwards. To prove the case, he had produced on record jamabandis and khasra girdawaris for the aforesaid period, which were not disputed. It had come on record on the basis of documents produced that the appellant was recorded as owner of the land, whereas possession was that of the respondent, who had been granted the aforesaid land on lease for the years 1985-86 and 1986-87 in open auction and ever since then he was in possession thereof.

In view of the aforesaid material on record, in my opinion, no illegality has been committed by the courts below in decreeing the suit filed

by the respondent-plaintiff restraining the appellant from dispossessing him unless in due course of law.

No substantial question of law arises in the present appeal. The same is, accordingly, dismissed. Consequently, the accompanying application is also dismissed.

(Rajesh Bindal)
Judge

28.4.2015
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