

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

**Regular Second Appeal No.1750 of 2015 (O&M)
Date of Decision: October 15, 2015.**

Indraj

.....APPELLANT(s).

VERSUS

Khushwaqt Dharamshala Trust Rewari and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ajay Jain, Advocate
for the appellant (s).

SURINDER GUPTA, J.

Heard.

This is appeal against the judgment of first Appellate Court decreeing the suit of plaintiff trust (respondent No.1) for possession of disputed shop.

The specific plea taken by the defendants in the written statement is that appellant Indraj is not in possession of the disputed shop or has any control over it.

Learned counsel for the appellant argues that decree passed by first Appellate Court cannot be executed against defendant No.3 i.e. the appellant in view of the stand taken by the appellant that he is not a tenant in the shop or is in possession of the shop. Learned counsel for the appellant further argues that the findings are against brother of the appellant, who has

filed a separate appeal.

The appeal of brother of the appellant will be separately dealt with.

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

Dismissed.

However, it is made clear that nothing observed herein-above will affect the rights of the brother of appellant.

October 15, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE