

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

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Regular Second Appeal No.38 of 2015

Date of Decision: December 07, 2015

Ram Nath @ Bogha and another

...Appellants

Versus

Ramphal and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rajinder Goyal, Advocate
for the appellants.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this appeal is to the judgment and decree passed by the Additional Civil Judge (Senior Division), Kaithal, dated 13.08.2011, by which the suit for possession of land measuring 42 feet X 2 feet filed by the respondent Nos.1 and 2-plaintiffs, stands decreed, appeal against which preferred by the appellants-defendants stands dismissed by the Additional District Judge, Kaithal, on 21.07.2014.

2. Counsel for the appellants has very fairly brought to the notice of this Court the judgment passed by this Court in *Regular Second Appeal No.2560 of 2015* titled as *Afsar Versus Daulat and others*, decided on 03.09.2015, to contend that the suit preferred by the appellant-plaintiff for seeking permanent injunction restraining the defendants from dispossessing them from the land in question stands dismissed.

3. In view of the judgment passed in RSA No.2560 of 2015, the present appeal filed by the appellants-defendants, cannot sustain and deserves to be dismissed.

4. Both the Courts below have returned concurrent findings after

properly appreciating the pleadings and the evidence brought on record by both the parties and the same cannot be interfered with as there is no perversity or illegality in the same.

5. No substantial question of law is involved in the present appeal. Therefore, finding no merit in the present appeal, the same stands dismissed.

December 07, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**