

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

Regular Second Appeal No.1316 of 2014 (O&M)

Date of decision: 4.5.2015

Kashmiri Lal

... Appellant

Versus

Gurdeep Singh

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.H.S.Batth, Advocate,
for the appellant.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

This is a defendant's appeal. Both the Courts are against him and have returned concurrent findings of fact in favour of the plaintiff.

The plaintiff filed a suit for permanent injunction against the defendant for restraining him from interfering with his peaceful possession as he was owner of land falling in Khasra No.183. The defendant entered appearance and contested the suit. It was his defence that he had purchased the property from one Shri Hans Raj and was owner thereof and, therefore, a restraint order could not be issued against the true owner. However, on evidence adduced by the parties, it is forthcoming that the defendant is owner in possession of a different khasra number i.e. 4//26 which has

~~nothing~~ to do with khasra No.183 and, therefore, both the Courts below

were within their rights to decree the suit.

In view of this, nothing remains to be decided in this appeal as no question of law much less a substantial one, whatsoever, arises in this appeal.

The appeal fails and is dismissed.

(RAJIV NARAIN RAINA)
JUDGE

May 4, 2015
Paritosh Kumar