

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

RSA No.4305 of 2015 (O&M)

Date of Decision: December 15, 2015

Chamel Singh and another

.... Appellants

vs.

Manglu @ Puran Singh

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vikram Singh, Advocate for the appellants.

1. *Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

Impugned in the present regular second appeal is the judgment and decree dated 20.04.2015 passed by learned Addl. District Judge, Karnal, affirming the judgment and decree dated 28.09.2012 passed by learned Civil Judge (Jr. Divn.), Karnal, vide which the suit of the plaintiff for permanent injunction was decreed and the appellants-defendants were restrained from alienating the specific portion of the joint property adjoining to the main passage without getting it partitioned.

Admittedly, the parties are co-sharers in the disputed property. They are stated to be in joint possession. Both the courts have found that since the parties are in joint possession, the defendants-appellants cannot alienate the specific portion of the same adjoining to the passage without getting it partitioned.

The findings of facts have been recorded by both the courts below. It is established law that co-sharer in joint possession cannot alienate the specific valuable portion without getting it partitioned. Thus, there is no illegality or infirmity in the findings recorded by both the courts below. No substantial question of law is involved in the present appeal.

Hence, the present regular second appeal stands dismissed.

December 15, 2015
sarita

(KULDIP SINGH)
JUDGE