

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

**RSA No. 5672 of 2015**  
**Date of decision : November 3, 2015**

**Kanta Sharma**

**..... Appellant**

**Versus**

**Parkash and others**

**..... Respondents**

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. S. K. Yadav, Advocate  
for the appellant.

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1. Whether reporters of local papers 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?

**Amit Rawal, J (oral).**

The appellant-plaintiff is in Regular Second Appeal against the concurrent finding of fact whereby the suit restraining the defendants from interfering in the peaceful possession of the property owned by the appellant-plaintiff has been declined.

Learned counsel for the appellant-plaintiff, during the course of arguments shown site plan Ex. P-16 and D-6/B. On going through the same it is seen that by the side to the house of the appellant, there is a street which has a dead end and the plaintiff has raised a tin shed which is at the back of the house of respondent-defendant, though respondent-defendant had separate access to the house situated towards northern side.

Both the courts below have found that once the

appellant-plaintiff has no entry to the street, therefore he could not raise a tin shed.

It is a settled law that the person who seeks equity must do equity. Once the street is 18' wide, no body has any right to raise any construction or cause obstruction either side, even if, it is a back lane.

I do not intend to differ with the finding rendered by both the courts below which is based on appreciation of oral and documentary evidence. I do not find any illegality or perversity in the aforementioned judgment and decree of the appellate court.

No substantial question of law arise for determination by this Court.

In view of what has been observed above, the appeal is devoid of merits, accordingly, the same is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**November 3, 2015**  
**archana**