

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

RSA No.779 of 2015 (O&M)

Date of Decision: November 03, 2015

Ranjit Singh Walia

.... Appellant

vs.

**A.S. High School Khanna Trust and
Management Society and others**

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Tarlok Singh Chauhan, Advocate for the appellant.

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 30.10.2014 passed by learned Addl. District Judge, Ludhiana, affirming the judgment and decree dated 31.07.2012 passed by learned Civil Judge (Jr. Divn.), Samrala, whereby the suit of the plaintiff was decreed for possession and the defendant was directed to hand over the vacant possession of the suit property i.e. three shops within the period of two months of the passing of the judgment and decree.

I have heard learned counsel for the appellant and have also carefully gone through the case file.

It comes out that the present appellant-defendant was tenant under the plaintiff. The plaintiff sought possession of the said three shops rented out to the defendant. The suit was decreed by the

lower court and the findings were affirmed in appeal by the first appellate court.

A perusal of judgments of both the courts below shows that findings of the facts have been recorded. No substantial question of law arises in the present appeal.

Learned counsel for the appellant has argued that Rakesh Goyal, who was authorized to file the suit, was only the member of the Managing Committee and was not competent to file the suit.

However, the Managing Committee can authorize one of the members of the A.S. High School Khanna Trust and Management Society. He being the member of the society, can be authorized to file the suit.

Therefore, there is no illegality or infirmity in the findings recorded by both the courts below.

Hence, the present regular second appeal stands dismissed.

November 03, 2015
sarita

(KULDIP SINGH)
JUDGE