

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No. 568 of 2014 (O/M)
Date of decision : 9.10.2015

Azad and others

..... Appellants

Versus

Mamta

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Jagram Singh Cooner, Advocate,
for the appellants

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present regular second appeal is the judgment and decree dated 9.10.2013, passed by the learned District Judge, Sonipat, affirming the judgment and decree dated 9.3.2012, passed by the learned Civil Judge (Junior Division), Sonipat, vide which the suit of the plaintiff (respondent herein), for permanent injunction was decreed and the defendants (appellants herein) were restrained from interfering in possession and dispossessing the plaintiff forcibly, illegally and except in due course of law.

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

It comes out that the plaintiff had claimed that she has purchased a plot measuring 545 sq. yds. with boundaries, as mentioned in the plaint, from one Bimla, vide sale deed No. 5622 dated 2.3.2009, who had purchased the same, vide sale deed dated 21.1.2009. The defendants, on the other hand, did not claim the ownership and claimed that they are in possession of the suit property since time immemorial and have constructed a boundary wall and a verandah in the disputed property about two years back. Both the Courts below have found that the plaintiff is in possession of the disputed property. The findings regarding possession of the plaintiff over disputed property are findings of facts and cannot be interfered in the regular second appeal. Therefore, no substantial question of law arises in the present appeal. Hence, the present appeal is dismissed.

(KULDIP SINGH)
JUDGE

9.10.2015
sjks