

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

RSA No.5738 of 2014 (O&M)

Date of decision : 30.11.2015

Malook Singh

...Appellant

Versus

Bant Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Rajeev Anand, Advocate for the appellant.

AMIT RAWAL, J. (Oral)

The appellant-defendant is none else but son who has embroiled into litigation with father-respondent-plaintiff, who was compelled to file civil suit for permanent injunction seeking the restraint order against him not to interfere in the peaceful and uninterrupted possession of the suit property.

Mr. Rajeev Anand, learned counsel appearing on behalf of appellant submits, that there is a matrimonial dispute between father and mother & mother is living with the appellant. There is categoric admission of the respondent-plaintiff vis-a-vis nature of the property being ancestral, much less, having been partitioned and as well as possession with the

appellant-defendant. The Courts below thus could not have decreed the suit injunctioning the defendant.

I have heard learned counsel for the appellant-defendant and appraised the paper book.

It is a matter of record that both the Courts below have found that property in dispute is owned by respondent-plaintiff. It is strange that son who is Ex-serviceman is at loggerhead with his father whereas it is pious duty of son to look after his father at the fag end of his life. The categorical case of the respondent-plaintiff is that there are certain other properties where other sons are living and the appellant-defendant had no right to interfere in peaceful possession, much less, cause any interference. It is in these circumstances, the aforementioned suit was filed.

Both the Courts below have rendered a finding of fact that respondent-plaintiff is entitled to injunction as the owner of the property in dispute.

I do not intend to differ with the findings rendered by both the Courts below, much less, no substantial question of law arises for determination.

Accordingly, present Regular Second Appeal is dismissed.

In view of findings rendered in Regular Second Appeal, no cause of action survives in the application seeking permission of this Court for placing on record certain documents by way of additional evidence, therefore, application is also dismissed.

30.11.2015

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**(AMIT RAWAL)
JUDGE**