

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

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**R.S.A No. 5768 of 2014(O&M)
Decided on : January 23, 2015**

Wali Khan & Ors.

... Appellants

Versus

Sagur Khan & Ors.

... Respondents

CORAM : HON'BLE MR.JUSTICE MAHAVIR S. CHAUHAN

Present : Mr. G.S.Nahel, Advocate, for the appellants.

Mahavir S. Chauhan, J. (Oral)

Heard.

Judgment/decreed dated 05.08.2014 passed by learned Additional District Judge, Sangrur (hereinafter referred to as 'the first appellate Court') dismissing the appeal and upholding the judgment/decreed dated 03.10.2012 passed by learned Civil Judge (Junior Division), Dhuri (hereinafter referred to as 'the trial Court'), dismissing the appellants' suit for permanent injunction, is challenged by the unsuccessful plaintiffs in the instant regular second appeal.

It is argued by learned counsel for the appellants that there is sufficient evidence to prove appellants' ownership and possession over the suit land, but the Courts below have failed to appreciate the evidence properly.

A perusal of the impugned judgments, however, would show that the appellants have based their claim as regards ownership and possession over the suit land on the basis of site plan appended with the plaint and beyond that no evidence, whatsoever, has been brought on record to prove their ownership or possession over the suit land.

In view of the above, coupled with the fact that this appeal is not shown to involve any question of law, much less a substantial one, I regret my disinclination to interfere with the concurrent and pure findings of fact recorded by the Courts below.

Dismissed.

No costs.

January 23, 2015
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[Mahavir S. Chauhan]
Judge