

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.551 of 2016

=====

Pandey Ram Chandra Lal & Ors

.... Appellant/s

Versus

Urimila Devi

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Pramod Mishra

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR

SAHOO

ORAL ORDER

2 12-08-2016

Heard the learned counsel for the petitioner.

Perused the order passed by the appellate Court whereby both the Courts below rejected the injunction application recording finding that the plaintiff had got no prima facie nor the balance of convenience is in favour of the petitioner.

The plaintiff petitioner filed the suit for declaration of title over the suit property. Injunction was prayed for restraining the defendants respondents from making any construction over the land of the petitioner as according to the petitioner the defendant had encroached the land of the petitioner and are making construction. It may be mentioned here that there is no case of encroachment and suit is for declaration of title and injunction.

Therefore, the learned Court below both have rightly rejected the application. As such there is no jurisdictional error or illegality in the impugned order passed by both the Courts below.

Thus, this Civil Misc. application is dismissed.

Sanjeev/-

(Mungeshwar Sahoo, J)

U			
---	--	--	--