

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

CR No.1067 of 2015 (O&M)

Date of decision : 12.01.2016

Balwant Ram

...Petitioner

Versus

Rajinder Pal and ors.

...Respondents

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. Vijay Rana, Advocate for the petitioner.

AMIT RAWAL, J. (Oral)

The petitioner-plaintiff is aggrieved of the judgment and decree dated 19.12.2013, whereby suit for restoration of possession of the property by invoking the provision of Section 6 of the Specific Relief Act, has been dismissed.

Mr. Vijay Rana, learned counsel appearing on behalf of petitioner-plaintiff submits, that Sudarshan Kumar was the owner of the land and possession of the same was handed over to Sant Ram for management. Sant Ram is none else, but the father of the petitioner and defendant No.6 namely Ramesh Kumar. Sudarshan Kumar sold the land aforementioned vide registered sale deed dated 26.09.1991 in favour of

Ramesh Kumar. The cause of action to file the suit accrued on 11.03.2011 when the petitioner had been dispossessed and accordingly suit was filed on 15.06.2011. The trial Court erroneously dismissed the suit by non-suiting the petitioner that he failed to prove the alleged possession, much less, dispossession.

I have heard learned for the petitioner and appraised the paper book.

The sale deed executed by Sudarshan Kumar in favour of Ramesh Kumar is of 26.09.1991. Ramesh Kumar is said to have been further sold the land to various vendees i.e. defendant Nos.1 to 4. The petitioner except, his self-serving affidavit dated 11.03.2011 has not been able to prove the possession, much less, dispossession. The plaintiff has to stand on his own legs in order to sustain the claim under Section 6 of Specific Relief Act. Having failed to lead evidence in this regard, the trial Court has rightly dismissed the suit.

I do not intend to differ with the findings rendered by the trial Court.

Revision petition stands dismissed.

12.01.2016

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**(AMIT RAWAL)
JUDGE**