

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 4189 of 2016 (O&M)
Date of Decision : 27.07.2016

Chiman Lal (deceased) through LRs Poonam and othersPetitioners

Versus

Ram Balbir and othersRespondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vipin Mahajan, Advocate
for the petitioners.

Surinder Gupta, J. (Oral)

This is revision against order dated 23.05.2016 (Annexure (P-6) passed by Additional Civil Judge (Senior Division), Gurdaspur, dismissing application of petitioners to produce sale deed dated 28.12.1968.

2. Learned Additional Civil Judge (Senior Division), Gurdaspur declined the application with the observation that as per applicants-petitioners, sale deed dated 28.12.1968 has already been set aside vide judgment dated 04.05.2002, copy of which has been produced on file as Ex. D-1, as such, there is no need to produce the sale deed.

3. I have heard learned counsel for the petitioner and perused the paper-book with his assistance.

4. Plaintiffs-respondents have filed suit seeking the relief of permanent injunction restraining petitioners-defendants from illegally and forcibly encroaching upon or alienating the land measuring 8 *kanals* 19 *marlas* being 53/1280 share of plaintiffs in suit land as per *jamabandi* for the year 2006-2007. Perusal of plaint shows that plaintiffs have not put-forth any claim based on sale deed dated 28.12.1968. Even the aforesaid sale deed, as per petitioners, has already been set aside, as such, any claim made on the

basis of sale deed can be opposed by petitioners, as per observation in the

judgment (Ex. D-1) tendered in evidence.

5. Order of Court below suffers from no legal infirmity calling for any interference in this revision, which has no merit.

Dismissed.

July 27, 2016
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/non-speaking

Yes/No

Whether Reportable

Yes/No