

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

RSA No.1585 of 2013 (O&M)

Date of Decision.08.08.2016

Amarjit Singh

.....Appellant

Vs.

Sanjiv Kumar and others

.....Respondent

Present: Mr.Ashish Gupta, Advocate
for the appellant.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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

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AMIT RAWAL J. (ORAL)

The appellant-plaintiff is seeking injunction in respect of land measuring 99 sq. yards against the defendants from interfering in continuous and settled possession and forcibly dispossess him, except in due course of law.

Mr. Ashish Gupta, learned counsel for the appellant-plaintiff submits that the sale deed had been proved on record but the Courts below did not examine this aspect. The defendants, on the other hand, have also not been able to prove their possession and therefore, the findings rendered by the Courts below are illegal and perverse, thus, urges this Court for setting aside the judgments and decrees passed by the Courts below by formulating the substantial questions of law drawn in the memorandum of appeal.

I have heard learned counsel for the appellant, appraised the

behest of the appellant-plaintiff is of some other land and not of the land in dispute and no documentary evidence qua long and settled possession has been placed or proved on record, which is essential requirement to seek injunction as per the settled law. I am of the view that both the Courts below have rightly exercised their discretion in dismissing the suit and I find no illegality and perversity in the judgments and decrees passed by both the Courts below as the same were founded on correct appreciation of documentary as well as oral evidence, much less, no substantial question of law arises for consideration in the second appeal.

The second appeal is dismissed.

(AMIT RAWAL)
JUDGE

August 08, 2016
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No