

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

RSA No.1641 of 2016 (O&M)

Date of decision:07.10.2016

Yad Ram and others

... Appellants

Vs.

Balbir Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Kulbhushan Sharma, Advocate
for the appellants.

Mr. R.S.Kundu, Advocate
for respondent No.1.

AMIT RAWAL J. (Oral)

The present appeal is arising out of civil suit bearing No.RB 107 dated 20.04.2009 titled as Balbir Singh vs. Yad Ram and others in which the present appellants were arrayed as defendants No.1, 2, 3 and 14, wherein, suit for declaration and permanent injunction as a consequential relief thereof, was decreed and the appeal filed against thereof, has been dismissed.

It is conceded position on record that RSA bearing No.209 of 2016 at the instance of defendants No.13 and 15 – Budh Ram and Khema filed in this Court has also been dismissed by a Co-ordinate Bench of this Court, vide order dated 21.01.2016.

It is also a matter of record that all the defendants filed a joint written statement, therefore, the defendants cannot have a different stand than the one taken by the other defendants and they have already lost upto this Court, therefore, the present Regular Second Appeal is liable to be dismissed in terms of **order dated 21.01.2016 passed in RSA No.209 of 2016 titled as Budh Ram and another vs. Balbir Singh and others.**

A copy of the order dated 21.01.2016 shall be made part of this order.

(AMIT RAWAL)
JUDGE

October 07, 2016
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No