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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-4879-2013 (O&M)

Date of decision : 21.04.2016

Virsa Singh

... Appellant

Versus

Vikram Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Tarun Singla, Advocate for
Mr. Rajinder Kumar Singla, Advocate
for the appellant.

Mr. G.S. Punia, Senior Advocate with
Mr. P.S. Punia, Advocate for
respondent No.1 to 5.

Mr. Akshay Jindal, Advocate
for respondent Nos.53 and 142.

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?

AMIT RAWAL, J. (ORAL)

CM-13146-C-2013

For the reasons mentioned in the application, the delay of 397 days
in re-filing the appeal is condoned.

CM stands disposed of.

RSA-4879-2013

The appellant is aggrieved of the concurrent findings of fact,
whereby suit for declaration and permanent injunction was dismissed by both

the Courts below.

Since, the plea of adverse possession cannot be taken in affirmative and can only be taken in defence in view of the law laid down by this Court in “Bhim Singh and others V/s Zile Singh and others”, 2006 (3) RCR (Civil) 97, rightly so, the suit has been dismissed.

In view of above, no ground is made out for interference in the judgment and decree of both the Courts below and the same are affirmed.

Accordingly, the appeal stands dismissed.

21.04.2016
yogesh

(AMIT RAWAL)
JUDGE