

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

**Regular Second Appeal No.606 of 2013 (O&M)
Date of Decision: December 21, 2016.**

Gurjant Singh and another

.....APPELLANT(s).

VERSUS

Mangal Singh and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. C.M. Munjal, Advocate
for the appellant (s).

SURINDER GUPTA, J.

This is second appeal by plaintiffs against the concurrent judgments of the Courts below dismissing their suit seeking relief of permanent injunction to restrain the defendants from forcibly interfering in their actual peaceful and cultivating possession over the suit land measuring 28 kanals situated in village Ratta Khera Baja Kotwal, Tehsil and District Ferozepur as fully described in the head note of the plaint.

On perusal of statement of witnesses examined by the appellants-plaintiffs, learned trial Court concluded that he has failed to prove his exclusive possession over the suit land. The finding of fact recorded by learned trial court was affirmed by the first Appellate court.

The claim of the plaintiffs is based on sale deed dated 01.08.2003 executed by one Baljinder Singh. The first Appellate Court

observed that there is nothing on file to show that vendor of appellants namely Baljinder Singh ever remained in possession over the suit property, therefore, delivery of possession by him to the appellant is not proved. Statement of plaintiff, who appeared as PW3 that after sale deed, he gave the suit property on lease to Simarpal Singh, who is none-else but son of Baljinder Singh, vendor, was also discarded by the first Appellate Court.

Learned counsel for the appellants could not point out any factual or legal infirmity in the judgments of the Courts below, calling for any interference.

No substantial question of law requiring determination arises in this appeal, which has no merits.

Dismissed.

December 21, 2016
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***