

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

R.S.A.No.871 of 2013 (O&M)

Date of Decision: October 26th, 2016

Harman Singh & another

...Appellants

Versus

Jarnail Singh & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.G.S.Nagra, Advocate,
for the appellants.

Mr.M.K.Bhatnagar, Advocate,
for the respondents.

AMIT RAWAL, J. (Oral)

Appellant-defendants are aggrieved of the judgments and decrees rendered by both the Courts below, whereby innocuous decree of injunction for forcible interference and dispossession, has been passed.

Concededly, the possession of the respondent-plaintiffs has been proved on record. By way of Civil Misc.Application No.2395-C of 2013 filed under the provisions of Order 41 Rule 27 CPC, exchange deed is sought to be placed on record to show that the respondent-plaintiffs are not owners of the suit property.

Be that as it may, the fact remains that once the possession is of the respondent-plaintiffs, the injunction decree in favour of the respondent-plaintiffs is most reasonable and justifiable. The appellant-defendants may rely upon the exchange deed sought to be relied upon by way of additional evidence in the proceedings to be initiated for seeking possession, but not

forcibly.

For the foregoing reasons, the findings rendered by both the Courts below are affirmed and the appeal is accordingly dismissed.

October 26th, 2016
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No