

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

RSA No.3387 of 2015 (O&M)

Date of decision : 19.01.2016

Raj Kumar

...Appellant

Versus

Rameshwar and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

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

Present: Mr. Chander Shekhar, Advocate for the appellant.

AMIT RAWAL, J. (Oral)

CM No.8215-C of 2015

For the reasons stated in the application, which is duly supported by an affidavit, delay of 149 days in refiling the present appeal is condoned.

Application stands allowed.

Main Case

The appellant-plaintiffs is in Regular Second Appeal against the concurrent findings of facts, whereby suit for seeking permanent injunction restraining the defendants not to interfere in peaceful possession of the property has been dismissed by the trial Court and affirmed by the

lower Appellate Court.

Mr. Chander Shekhar, learned counsel appearing on behalf of appellant-plaintiffs, submits that there are umpteen number of documentary evidence on record to show that plaintiff has been in continuous and settled possession of the property in dispute. Such fact has erroneously been not taken into consideration resulting into illegality and perversity.

I have heard learned counsel for the appellant-plaintiff and appraised the paper book and I am of the view that appeal deserves to be dismissed as plaintiff failed to prove on record any documents to show that they are & were in settled possession and rightly so, injunction has not been granted by both the Courts below.

I do not intend to differ with the findings rendered by the Courts below which are based upon appreciation of oral and documentary evidence, much less, no substantial question of law arises for determination by this Court.

Accordingly, appeal is dismissed.

19.01.2016

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**(AMIT RAWAL)
JUDGE**