

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

**Regular Second Appeal No.1548 of 2014 (O&M)
Date of Decision: January 11, 2016.**

Gurdev Singh

.....APPELLANT(s).

VERSUS

Avtar Singh and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. V.M. Gupta, Advocate
for the appellant (s).

SURINDER GUPTA, J.

Heard.

2. This is second appeal against the judgment passed by Civil Judge (Junior Division), Khanna, whereby the suit filed by Aman Kaur wife of Jeet Singh and Gurdev Singh son of Jeet Singh seeking relief of injunction restraining Avtar Singh son of Jeet Singh from interfering in their possession over the disputed shop as fully described in the head note of the plaint, was dismissed.

3. Plaintiffs claimed to be in possession of the disputed shop alleging that Jeet Singh was earlier tenant in this shop and after his death, the tenancy rights were inherited by the plaintiffs, who are in actual possession of the shop.

4. Earlier a similar suit was filed by Avtar Singh seeking relief of

injunction that the plaintiffs and other legal heirs of Jeet Singh be restrained from interfering in his possession over the disputed shop. That suit was decreed and the appeal against that judgment and decree was dismissed by Additional District Judge, Ludhiana vide judgment dated 02.03.2010. Bladev Kaur and others filed regular second appeal against that judgment, which was dismissed on 04.09.2014 (RSA No.4262 of 2010).

5. Plaintiffs of this suit were also party to that litigation. It is not disputed that the matter in dispute has already been set at rest in the earlier suit filed by Avtar Singh and findings recorded in RSA No.4262 of 2010 covers the controversy in the suit.

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

7. Dismissed.

January 11, 2016.
Sachin M.

(SURINDER GUPTA)
JUDGE