

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.4640 of 2015 (O&M)

Date of Decision.19.01.2016

Rampat and another

.....Appellants

Vs.

Duli Chand

.....Respondent

Present: Mr. Navneet Singh, Advocate
for the appellants.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

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?

-. -

K. KANNAN J. (ORAL)

1. Delay of 7 days in filing the appeal is condoned.
2. A claim of injunction was sought by a person claiming to be a lessee from the defendant for two years and was in continuance of possession as *gair marushi*. The Court protected the plaintiff's possession by decree of injunction which was confirmed in appeal. In the second appeal, it is contended by the defendant that a possession beyond the period of lease must be only taken as unlawful and he will not have the benefit of injunction. There are statutory provisions protecting possession of an agricultural tenant beyond the period of lease and if he has no right to continue, it will be open for the landlord to take appropriate action for the ejectment in accordance with law. Till such action is taken and the eviction obtained by the landlord in accordance with law, the plaintiff is entitled to be protected in his possession and the decree granted by the two Courts below was

perfectly justified.

3. I find no cause for intervention in the second appeal. The second appeal is devoid of merits and it is dismissed.

(K. KANNAN)
JUDGE

January 19, 2016
Pankaj*