IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Regular Second Appeal No.6118 of 2015 (O&M)
Date of Decision: March 22, 2016

Vijay and another

.....APPELLANTS

VERSUS

Phoolo Devi and others

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Pankaj Bali, Advocate
for the appellants.

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SURINDER GUPTA, J.

CM-15308-C-2015

For the reasons mentioned in the application, delay of 30 days in filing the appeal is condoned.

CM disposed of.

RSA-6118-2015

Heard.

The suit of plaintiffs Phoolo Devi and others seeking the relief of permanent injunction, restraining the defendants Vijay and Balwan from interfering in their possession over the suit land measuring 3 bigah 14 biswa, bearing Khewat No.3881 min, Khatoni No.6089, Khasra No.3077 (3-14) situated in Qasba Karnal, as per jamabandi for the year 2004-05, was decreed and the defendants-appellants were restrained from interfering in their

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possession.

Both the parties claimed their possession over the suit property. The plaintiffs-respondents corroborated their claim with entries in the jamabandi for the year 2004-05 Ex.P1 and khasra girdawari Ex.P2 and the defendants placed reliance on the photographs Mark A to Mark F. The court relied upon the revenue record, where the father of plaintiffs (since deceased) is recorded in possession. The defendants-appellants could not corroborate their plea, as to how and when, they entered into possession of suit property, after the death of father of plaintiffs. The entry in the jamabandi carry presumption of truth, though the same is rebuttable. The defendants have never challenged the entries in the revenue record, regarding the possession of plaintiffs' father over the suit land.

In view of the above, I find no legal or factual infirmity in the judgments of Courts below, calling for any interference.

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

Dismissed.

(SURINDER GUPTA)
JUDGE

March 22, 2016.
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