

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

CR No.3003 of 2017
Date of decision : 10.10.2017

Nasib Singh

...Petitioner

Versus

Latika Dutta and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jasbir Singh, Advocate for the petitioner.

Mr. Vipin Mahajan, Advocate for respondent No.1.

Mr. Chander Shekhar, Advocate for
Mr. Sandeep Kumar, Advocate for respondent No.10.

ANIL KSHETARPAL, J. (ORAL)

The plaintiffs are in revision petition against the order dismissing the application for temporary injunction vide order dated 20.09.2016 and also against the dismissal of appeal filed by the plaintiffs.

It is not in dispute that in the previous litigation, defendant No.1 was declared to be owner in possession of the land measuring 2 kanals and 3 marlas. Appeal as well as second appeal preferred by the plaintiffs was dismissed.

Plaintiffs thereafter filed the present suit for permanent injunction claiming that they should not be dispossessed except in due course of law. Once in the previous litigation inter parties, defendant No.1

has been held to be owner in possession and the aforesaid judgment has become final. It is not permissible to the plaintiffs to assert that they continue to be in possession of the property.

For the reasons recorded above, I do not find any good ground to interfere in the order passed by the trial Court, confirmed in appeal, while deciding the application for temporary injunction.

Revision petition is dismissed.

10.10.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No