

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

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CR No.7777 of 2017 (O & M)
Date of Decision:10.11.2017

Kuldeep Singh and another

...Petitioners

Versus

Ranjit Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mukesh Mittal, Advocate
for the petitioners.

ANIL KSHETARPAL, J.(Oral)

Plaintiffs-petitioners are in revision petition against the dismissal of the application for temporary injunction, which has been affirmed in the appeal.

It is not in dispute that the land is owned by Wakf Board. It is further not in dispute that a suit was instituted by the Punjab Wakf Board for possession, which was decreed against Raja Ram and Ganeshi Lal. Raja Ram had filed an appeal, which was dismissed on 25.01.2013. Wakf Board was held entitled to relief of possession on payment of Court fee in terms of Section 7(1) (iv) (c) of the Court Fee Act, 1870.

Plaintiffs after a period of 4 years filed a suit claiming to be in possession. Plaintiffs are legal heirs of Raja Ram.

On the other hand, it is the case of the defendants that they have been leased out the property by the Wakf Board vide lease deed dated 31.12.2013. Once there is a decree against the predecessor of the plaintiffs

for possession, plaintiffs have no right to claim that they are in possession.

Still further, revenue record shows that the plaintiffs are not in possession.

In view thereof, there is no scope for interference.

Hence, this revision petition is dismissed.

10.11.2017
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes
Whether Reportable : No