

Municipal Council, Khanna and another

... Appellants

Versus

Satish Kumar and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anand Chibbar, Sr. Advocate  
for the appellants.Mr. Kanwaljit Singh, Sr. Advocate with  
Mr. Gagandeep S. Virk, Advocate  
for respondent No.2.

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**ANIL KSHETARPAL J. (ORAL)**

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It is an unfortunate litigation which has lingered on in the Courts for 22 years. Municipal Council, Khanna is in appeal against the concurrent findings of fact arrived at by the Courts below.

During the course of arguments, learned counsel for the Municipal Council has pointed out that the Municipal Council, Khanna had passed a Resolution dated 11.05.1995 agreeing to hand over the possession of the land to Dr. Gian Chand Loomba except 10 X 13 feet area out of Khasra No.1486.

It may be mentioned here that this resolution was passed after proper demarcation was carried out. The demarcation report is Ex.DW-6/1 available on the record.

Counsel for the parties agreed that Dr. Gian Chand Loomba is entitled to the possession of the land except 10 X 13 feet area out of Khasra No.1486. The Courts below have decreed the counter -claim filed by Dr. Gian

Chand Loomba. The judgment and decree passed by the Courts below are modified and Dr. Gian Chand Loomba is held entitled to the possession of the land except 10 X 13 feet area out of Khasra No.1486.

Dr. Gian Chand Loomba is further entitled to injunction from interference with respect to the remaining area.

The aforesaid appeal is thus disposed of with the consent of the counsel for the parties.

Accordingly, regular second appeal is disposed of.

October 11, 2017  
*rekha*

(ANIL KSHETARPAL)  
JUDGE

*whether speaking/reasoned*  
*whether reportable*

*Yes/No*  
*Yes/No*