

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

**RSA No.4368 of 2012 (O&M)
Date of decision : 18.08.2017**

Mehar Chand Khurana

..... Appellant

versus

Raj Kumar @ Rajiv and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Manoj Makkar, Advocate
for the appellant.

Mr. Sandeep Singla, Advocate
for the respondents.

AJAY TEWARI, J.(ORAL)

This appeal has been filed against the concurrent judgments of the Courts below dismissing the suit of the plaintiff-appellant.

The plaintiff-appellant had claimed injunction against the respondents from affixing any gate between the points marked GE on the site plan Ex. PW1/A on the ground that that was his personal property. Both the Courts below noticed that the plaintiff-appellant had claimed that he had purchased 86 sq. yards of land and if the area where the gate was proposed to be put was included in the land which was owned by the plaintiff-appellant that would come to 101 sq. yards.

In the circumstances, both the Courts held that the points where the gate was being proposed to be put by the respondents was not in the ownership of the plaintiff-appellant.

Learned counsel for the plaintiff-appellant has not been able to show me how these findings are vitiated in any manner once it has been proved that he is in possession of the land purchased by him any land beyond that can not be in his ownership.

Appeal is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

18.08.2017
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No