

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

Anuradha
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**RSA-5067-2013 (O&M)
Decided on : 8.8.2017**

KISHORE KUMAR

....APPELLANT

VS

RAM KUMAR & ORS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Harkesh Manuja, Advocate
for the appellant.

Mr. Ajay Ghangas, Advocate
for respondents No. 1 and 2.

Mr. M.S.Rana, Advocate
for respondent No. 3

AJAY TEWARI, J.(Oral)

This appeal has been filed against the concurrent judgment/orders of the Courts below rejecting the suit for permanent injunction filed by the appellant.

One of the grounds which the Courts below found for dismissing the suit of the appellant was the fact that it was his pleading that the land was owned by the Hayana Wakf Board, Ambala Cantt through its Secretary. When the suit was originally filed, the appellant had impleaded the Haryana Wakf Board as well as the Local Estate Officer as defendants Nos.4 and 5 and the said defendants were opposing the suit filed by the appellant. However later the appellant deleted the said defendants from the array of parties. The Courts below found on fact that the appellant had not been in possession and it was only his father who had been in possession, who had died in the year 2002, and thereafter, the revenue record showed that land was in the possession of

the respondent as lessee of the Wakf Board. Learned counsel for the appellant has not been able to show me how these findings of fact are incorrect.

No question of law arises.

Consequently, the findings of the Courts below that the appellant, having lost possession could not maintain suit for permanent injunction cannot be interfered with.

Appeal stands dismissed.

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

08 August, 2017
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No