

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

RSA No. 670 of 2016 (O&M)
Date of decision : August 18, 2017

Asha and another

..... Appellants

v.

Smt. Krishna

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gaurav Jindal, Advocate
for the appellant.

Ajay Tewari, J (Oral)

This appeal has been filed against the concurrent judgments of the Courts below decreeing the suit of the respondent-plaintiff in which she had claimed injunction restraining the appellants and other defendants from interfering in her possession of a plot measuring 214 sq. yards situated at village Samar Gopalpur, Tehsil and District Rohtak.

The case of the respondent was that she had purchased the land and was in possession thereof and the appellants and other defendants were trying to interfere in her possession. The claim of the appellants and other defendants was that it was a Balmik Mandir and was not owned by the respondent. The respondent placed on record the sale deed and the witnesses also appeared. On the other hand, the appellants and other defendants did not lead any documentary evidence about the existence of any Mandir. Rather, those witnesses who had appeared as witnesses

accepted that the respondent had purchased 240 sq. yards of land and that the site plan annexed with the plaint depicted the true position. It was in these circumstances that both the Courts below held that the respondent had been able to prove her claim that she was in possession as owner and consequently restrained the appellants and other defendants from interfering in her possession.

Counsel for the appellants has not been able to show me how the findings of fact and law are incorrect. Consequently, this appeal is dismissed.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

August 18, 2017
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No