

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

**RSA Nos.3138 of 2017 (O&M)
Date of Decision:24.08.2017**

Ujaggar Singh

...Appellant

Versus

Darshan Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jashan Jot Singh, Advocate
for the appellant.

ANIL KSHETARPAL, J. (ORAL)

Defendant is in Regular Second Appeal against the concurrent finding of fact arrived at by the Courts below.

Plaintiff-respondent filed a suit for permanent prohibitory injunction restraining the defendants from interfering in the peaceful usage of the plaintiff to the extent of his share in the electric motor installed on a tube well. Both the Courts have found that the property between the parties is joint. Plaintiff is also co-owner in the land. In these circumstances, the Courts have granted injunction in favour of the plaintiff permitting him to use the electric motor installed on a tube well to the extent of his share. The suit property has admittedly not been partitioned.

In these circumstances, I do not find any good reason to interfere with the concurrent finding of fact.

The appeal is dismissed.

(ANIL KSHETARPAL)
JUDGE

24.08.2017
sk

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