

In the High Court of Punjab and Haryana at Chandigarh

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CR No.3503 of 2018

Date of decision: 24.5.2018

BALKAR SINGH AND ORS

.....petitioners

Versus

PALWINDER SINGH AND ORS

.....respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Kamal Chaudhary, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J.(oral)

The impugned order has been passed on the premise that the plaintiffs-petitioners have concealed the factum of earlier litigation and, therefore, they are not entitled to any discretionary/equitable relief under Order 39 Rules 1 and 2 CPC.

The plaintiffs have concealed the factum of earlier litigation initiated by defendants No.1 to 12 in the form of civil suit for possession in respect of the suit land, which was decreed in their favour vide judgment and decree dated 23.12.2011. Even appeal filed against the said judgment and decree was dismissed by the Additional Sessions Judge vide

judgment and decree dated 4.3.2013. No further appeal was filed by the plaintiffs-petitioners. The judgment and decree dated 23.12.2011 has already become final. A party, who has not come to the Court with clean hands does not deserve any equitable relief.

Dismissed.

May 24, 2018
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(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/Speaking

Yes/No

Whether reportable

Yes/No