

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

123

CR No.4050 of 2017 (O & M)
Date of Decision:16.03.2018

Jasvir Singh

...Petitioner

Versus

Gurpreet Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Param Preet Singh Brar, Advocate
for the petitioner.

Mr. Sanjeev Kumar Arora, Advocate
for respondent Nos.1, 2 and 3.

ANIL KSHETARPAL, J.(Oral)

Plaintiff-petitioner is in the revision petition against the order passed by the learned First Appellate Court dismissing the prayer of the plaintiffs for grant of injunction with regard to the land comprised in Khasra No.45//7/3. The Court has allowed the application with regard to passage, which is marked with point 'A' to 'B' in the Aksh Shajra. However, learned First Appellate Court after noticing that the land comprised in Killa No.45//7/3 shown marked with point 'B' to 'C' is not a passage and refused to grant injunction.

Learned counsel for the respondents at the outset has pointed out that the learned First Appellate Court summoned the concerned Patwari of the area and recorded his statement, wherein he has specifically stated that the land comprised in Rectangle No.45, Killa No.7/3 is a 'gair mumkin' land and is recorded as such in the revenue record.

Plaintiffs claimed that the land comprised in Rectangle No.45,

Killa No.7/3, which is marked in the Aksh Shajra from point 'B' to point 'C' is a passage. However, no evidence has been produced to support that. Revenue official has already verified that point 'B' to 'C' is not a passage.

In view thereof, there is no scope for interference with the order passed by the learned First Appellate Court.

Revision petition is dismissed.

16.03.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No