

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

**RSA-2268-1990(O&M)
Date of Order:04.10.2018**

BAWA DASS

..Appellant

Versus

BISHAN DASS

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sarbjeet Khaira, Advocate,
for the appellant.

Mr. Vipul Aggarwal, Advocate,
for LR's of respondent no.14.

ANIL KSHETARPAL, J (Oral)

Plaintiff-appellant is in the regular second appeal against the judgment passed by the courts below, of course, slightly modified by the learned first appellate court.

Plaintiff filed Civil Suit No.112, dated 01.06.1985, which was partly decreed by the learned trial court vide judgment dated 15.09.1987. It appears that two appeals were preferred by the plaintiff, although, it is not clear that why these two appeals were preferred. Two first appeals numbered as Civil Appeal Nos.277 of 1987 and 168 of 1990 were disposed of by a common judgment. Learned first appellate court also prepared a common decree in both the appeals.

Bawa Dass, the appellant, filed Regular Second Appeal No.2267 of 1990 which was dismissed on 28.01.1991. Present appeal has been filed by Bawa Dass and another against the aforesaid judgment and decree passed by the learned first appellate court which was subject matter of appeal in RSA No.2267 of 1990. In the present appeal also, decree in Civil Appeal no.265 of 1987 and 167 of 1990 has been challenged.

Counsel for the appellant could not draw attention of the court to any difference between both the appeals. Still further, learned counsel for the appellant could not explain why Bawa Dass filed two appeals before the first appellate court or why there were two appeals in this court.

In view of the order passed in RSA No.2267 of 1990, dismissed on 28.01.1991, this court is not in a position to take a different view.

In view thereof, the regular second appeal is dismissed.

October 04, 2018
nt

(ANIL KSHETARPAL)
JUDGE

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