

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

103

RSA No.1758 of 1998 (O & M)
Date of Decision:12.03.2018

Laxmi Chand and others

...Appellants

Versus

Ram Gopal and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjay Mittal, Advocate
for the appellants.

ANIL KSHETARPAL, J.(Oral)

Defendants-appellants are in the regular second appeal against the judgment passed by the learned First Appellate Court.

Plaintiffs filed a suit for permanent injunction restraining the defendants from alienating more than the land falling in their share. It is not disputed that as per revenue record, the property is joint between the parties. The plea taken by the defendants that there was a partition between the family members has not been proved on file. Learned First Appellate Court has modified the judgments and decrees passed by the learned trial Court by restraining defendant No.1 from alienating more than his share.

In view of the aforesaid observations, no exception can be taken to the judgment passed by the learned First Appellate Court. Defendant No.1 has been restrained from alienating more than his share.

In view thereof, there is no scope for interference.

Hence, this regular second appeal is dismissed.

12.03.2018
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(ANIL KSHETARPAL)
JUDGE

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