

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

RSA No.3960 of 2003 (O&M)

Date of Decision: November 26, 2018

Banarsi Dass & others

...Appellants

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

**Present: Mr. Gurcharan Dass, Advocate,
for the appellants.**

**Mr. Sandeep Mann, AAG, Punjab,
for the State.**

AMIT RAWAL, J.

The present Regular Second Appeal is at the instance of the appellant-plaintiffs, who have not been successful before the courts below.

Appellant-plaintiffs sought the injunction against the State of Punjab, Tehsildar Sales, Ludhiana and Tehsildar (Recovery), Ludhiana for not implementing the illegal order dated 14.11.1979 and various other orders passed by the authorities under the provisions of

Displaced Persons (Compensation & Rehabilitation) Act, 1954 (for short,

the Act).

The short point involved in the present appeal is whether the injunction suit, in view of the finality of the orders passed under the statutory provisions of the Act, can be assailed in the manner and mode, the answer is 'No'. In fact, there would have been some force in the submissions of the learned counsel for the appellants, had there not been compliance of the provisions of natural justice, but this fact has not been pleaded in the plaint. In such circumstances, the courts below have no other occasion but to dismiss the suit. The concurrent findings, in my view, cannot be interfered with. Resultantly, the appeal is dismissed.

November 26, 2018
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No