

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA No.2216 of 2009 (O&M)

Date of decision:01.03.2018

Vinod Kumar and another

... Appellants

Vs.

Ramkali and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Radhey Sham Sharma, Advocate
for the appellants.

Mr. Rose Gupta, Advocate
for respondents No.1, 2, 3, 5 and 9.

AMIT RAWAL J. (Oral)

The Lower Appellate Court, vide judgment and decree dated
09.03.2009 passed the following decree:-

“It is ordered that the suit of the plaintiffs stands decreed, by acceptance of appeal, and the defendants are restraining from pulling down and removing the bricks of Western wall of the shop in question under the tenancy of the plaintiff/appellants, as detailed in the head note of the plaint, and they are further directed to construct the damaged portion of the wall. The appeal is accepted accordingly. The costs of this appeal be paid to the respondents.

The cost of original suit will be paid by the respondents.”

Mr. Rose Gupta, learned counsel appearing on behalf of respondents No.1, 2, 3, 5 and 9, on instructions from his clients submits that during the pendency of present appeal, the appellant-defendants have already removed the *malba*, therefore, the decree has been duly satisfied.

The aforementioned fact is not disputed by Mr. Radhey Sham Sharma, Advocate representing the appellants.

In view of the statement made by learned counsel for the respondents, the present appeal has been rendered infructuous and the same is disposed of as such.

(AMIT RAWAL)
JUDGE

March 01, 2018
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No