

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

RSA No.693 of 2009 (O&M)

Date of Decision:08.03.2018

Sohan Lal (deceased) through his legal representatives

...Appellant

Versus

Mohan Lal (deceased) through his legal representatives ...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Sarju Puri, Advocate for the appellant.
 Ms.G.K.Hundal, Advocate with
 Mr.R.D.Rattewal, Advocate for the respondents.

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-appellant is in the appeal against the judgment passed by the learned first appellate court. The plaintiff filed a suit for permanent injunction, restraining the defendant from dispossessing him from the house. The plaintiff claims that he was allotted a house and he is owner in possession.

The learned first appellate court, after appreciating the evidence, has found that the plaintiff is residing out of country and he has not appeared in evidence to support his case.

The suit is only for permanent injunction and question of title to the property is not arising in the present case. The plaintiff has failed to prove that he is in possession of the property. Such being the position, this Court does not find any good ground to interfere with the findings of fact arrived at by both the courts below.

The Regular Second Appeal is dismissed. Pending application, if any, shall also stand disposed of.

08.03.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No