

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
RSA-4397-2012 (O&M)
Date of Decision:-19.11.2018

Kulwant Singh and another

... Appellants

Versus

Rajinder Kaur Lard

... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Surjit Singh Swaich, Advocate with
Ms. Mumtaz Khan, Advocate
for the appellants.

ANIL KSHETARPAL, J.(Oral)

Defendant-appellants are in regular second appeal against the concurrent finding of fact arrived at by the Courts below while decreeing the suit filed for mandatory injunction after terminating the licence. Defendant-appellants had claimed ownership on the basis of continuous long possession. However, both the Courts after appreciating the evidence have found no substance in the plea of the defendant-appellants. Respondent-plaintiff is owner of the property.

Learned counsel for the appellants although made sincere attempt, however, could not persuade this Court to take a different view. Learned counsel for the appellants has admitted that pursuant to the decree passed possession has already been taken over by the respondent-plaintiff. Hence, no ground to interfere.

Dismissed.

19.11.2018

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(ANIL KSHETARPAL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No