

103

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

**RSA No.1859 of 2015 (O&M)
Date of Decision: 16.07.2018**

BAKSHISH SINGH

.....Appellant

Vs

PARKASH & ANR

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Amandeep Saini, Advocate
for the appellant.

RAJ MOHAN SINGH, J. (Oral)

[1]. Defendant No.1 is in Regular Second Appeal against the concurrent judgments and decrees passed by the Courts below.

[2]. Brief facts are that earlier a civil suit No.70/1992 for possession was filed in respect of 8 *marlas* of land comprised in Khasra No.69//18 (4-13) against Parkash and others. The suit was decreed on 22.12.1992. Decision of the trial Court was affirmed by the lower Appellate Court on 14.11.1996. The said suit became final as the same was never assailed further. In execution of the said decree, possession was delivered to the plaintiff with police help.

[3]. Plaintiff alleged that on 27.03.2008, defendants took forcible possession of 10 *Marlas* of land. Defendant No.1 filed a Civil Suit No.221 on 17.05.1997 for possession of Khasra No.69//17/18 claiming himself to be owner in possession and the plaintiff had dispossessed him. Thereafter, he along with Preeta filed a Civil Suit No.100 of 1998 on 26.02.1998 on the basis of agreement to sell in respect of present land which was dismissed on 04.10.2005. Lower Appellate Court also affirmed the same on 26.09.2006. Civil Suit No.490 dated 14.06.1998 was also filed by defendant No.1 against plaintiff for specific performance and the said suit was also dismissed on 04.01.1992.

[4]. The judgment and decree dated 14.02.2011 passed by the Wakf Tribunal was assailed in Civil Revision No.3978 of 2011 titled 'Bakshish Singh vs. Parkash Singh and another'. The stand of the respondents therein i.e. plaintiff in the present suit was that the present appellant was not in possession of *Khasra* No.350 min, rather he had encroached upon Khasra No.69//18. The stand of the present plaintiff was acknowledged by the Wakf Tribunal against which Civil Revision No.3978 of 2014 was dismissed on 12.02.2014.

[5]. It appears from the record that the present appellant is contesting the litigation at every stage without any rhyme or

reason. The findings recorded by the Courts below are based on correct appreciation of evidence. Consequently, no law point worth consideration is involved in the present appeal. The same is accordingly dismissed.

July 16, 2018

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No