

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.1883 of 2015 (O&M)

Date of Order:01.02.2018

Sohan Lal

..Appellant

Versus

Des Raj through LRs Bhagwanti Devi and ors.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep Arora, Advocate,
for the appellant.

ANIL KSHETARPAL, J(Oral)

Plaintiff-appellant is in regular second appeal against the concurrent findings of fact arrived at by the courts below.

Plaintiff filed a suit for permanent injunction restraining the defendant from interfering in the peaceful possession of the property. It is not disputed that the property was purchased jointly by two brothers i.e. Plaintiff and the defendant through conveyance deed dated 29.11.1984. It is further not in dispute that the suit for partition is pending between the parties.

Both the courts after appreciation of evidence available on the record, had dismissed the suit filed by the plaintiff, who has not been found in exclusive possession of the property.

In view thereof, there is no scope for interference in the concurrent findings of fact arrived at by the courts below.

The regular second appeal is dismissed.

February 01, 2018

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Whether speaking/reasoned

Whether reportable

(ANIL KSHETARPAL)

JUDGE

: Yes/No

: Yes/No