

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

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RSA-345-2016 (O & M)
Date of Decision:03.10.2018

Gram Panchayat

...Appellant

Versus

Yatesh Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Parminder Singh, Advocate
for the appellant.

ANIL KSHETARPAL, J.(Oral)

CM-1091-C-2016

For the reasons stated in the application, which is duly supported by an affidavit, delay of 209 days in filing the appeal is condoned.

Application is allowed.

Main Case

Gram Panchayat has filed this appeal against the concurrent findings of fact arrived at by the Courts below.

It is undisputed that in the revenue record, property is not recorded under the ownership of the Gram Panchayat rather it is recorded in the name of plaintiff-Yatesh Kumar and Dr. Subhash Chand.

Still further, there is a temple situated at the adjoining property and this property is also claimed to be used for religious purpose. Since Gram Panchayat has failed to prove any right, title or interest in the property, therefore, learned Courts below were correct in granting a decree

for injunction in favour of the plaintiff.

In such circumstances, there is no ground to interfere.

Regular second appeal is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the above said judgment.

03.10.2018

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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No