

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.2582 of 2015 (O&M)
Date of Order:15.01.2018

Bijender Singh and others

..Appellants

Versus

Anji and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ramender Chauhan, Advocate,
for the appellants.

ANIL KSHETARPAL, J.

C.M.No.6666-C-2015

Prayer in this application is for condonation of delay of 06 days
in filing the appeal.

For the reasons mentioned in the application, which is
supported by an affidavit, the delay of 06 days in filing the appeal is
condoned.

The application is allowed.

Main

Plaintiffs-appellants are in regular second appeal against the
concurrent findings of fact arrived at by the courts below while deciding a
suit for permanent injunction.

Plaintiffs had filed a suit claiming that they are owners in
possession of land measuring 84 kanals 10 marlas. It is further the case of
the plaintiff that 2 kanals and 4 marlas of land out of the aforesaid land is
covered by khasra no.49/26 one 'Mahalchah' in an area of 8 square yards has

been constructed since long which is not in use for the last 30 years. It is further the case of the plaintiffs that plaintiffs, defendants and other co-sharers are share holders in a well.

Both the courts, as noticed above, after appreciation of evidence, dismissed the suit.

Learned counsel for the appellants could not point out any substantive error in the appreciation of evidence by the courts below.

Taking into consideration the aforesaid facts, there is no ground to interfere with the concurrent findings of fact arrived at by the courts below.

The regular second appeal is dismissed.

January 15, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No