

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

**RSA No.4144 of 2015 (O&M)  
Date of Order:22.10.2018**

**Bhupinder Singh**

**..Appellant**

**Versus**

**Ravinderpal Singh**

**..Respondent**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Ravish Bansal, Advocate,  
for the appellant.

Mr. Achin Gupta, Advocate,  
for the respondent.

**ANIL KSHETARPAL, J(Oral)**

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

Plaintiff and defendant are neighbours. They are fighting over a small portion of the property measuring 10 Sq. Yards. It is undisputed that the defendant-respondent had purchased already constructed property on 28.12.2004, from uncle of the plaintiff.

Both the courts have found that no reliable evidence has been produced to prove that the defendant after the purchase has encroached upon any portion of the property owned by the plaintiff-appellant.

Still further the courts have noticed that the plaintiff failed to prove as to when the defendant encroached upon a small portion and included in his house. It is not disputed that the wall in between the house of the plaintiff and the defendant is old and was constructed when plaintiff

and his uncle were owners of the separate portion of the property.

In view thereof, this court does not find any good ground to interfere with the concurrent finding of fact arrived at by the courts below.

The regular second appeal is dismissed.

All the miscellaneous applications are disposed of in view of the judgment passed above.

**October 22, 2018**  
**nt**

**(ANIL KSHETARPAL)**  
**JUDGE**

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