

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

RSA No.5573 of 2016 (O&M)

Date of Order:25.05.2018

Paramjeet Singh

..Appellant

Versus

Amarjeet Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Namit Khurana, Advocate,
for the appellant.

ANIL KSHETARPAL, J(Oral)

Plaintiff-appellant is in the regular second appeal against the concurrent findings of fact arrived at by the courts below while dismissing a suit for permanent injunction filed with a prayer to restrain the defendants from alienating the land in excess of their share. It is further prayed that the alienation of the specific portion of the land should also be stopped.

It is not disputed that the parties are co-owners/co-sharers and partition proceedings are pending. Any sale by a co-owner beyond his share would not bind the rights of other co-owner. The remedy for the redressal of the grievance is by way of partition, which has already been filed and is pending.

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

The regular second appeal is dismissed.

May 25, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No