

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

RSA-6155-2016(O&M)

Date of decision : 17.07.2018

Harjinder Singh

... Appellant

Versus

Nirmala Devi and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Ashish Verma, Advocate
for the appellant.

AMOL RATTAN SINGH, J.(ORAL)

Learned counsel for the appellant submits that the only grievance of the appellant qua the judgments and decrees of the learned courts below is that in the 'garb of the aforesaid decree', the respondents may try and grab the plot of the appellant, which it is stated is abutting that of the respondent-plaintiff.

Having considered that aspect, it is first to be noticed that the learned courts below have given a very categorical finding of fact as regards the plot of the plaintiff, which she claimed possession of as also in respect of which she sought a decree of permanent injunction against the appellant-defendant, the said plot (suit property) proved to be hers by virtue of sale deed no.961 dated 03.05.1994.

That concurrent finding of fact would naturally not be disturbed by this Court, nothing having been pointed out whatsoever that it is perverse in any manner.

Thus the apprehension of the appellant is wholly unfounded in

my opinion, because the decree in question is naturally as regards the plot owned by the respondent-plaintiff as has been described in the judgments and decrees that have been challenged in the present second appeal.

With the aforesaid observation, this appeal is dismissed, there being no substantial question of law involved for adjudication.

CM-16178-C-2016

The appeal itself having been dismissed as above, this application seeking condonation of delay in filing the appeal is rendered infructuous.

(AMOL RATTAN SINGH)
JUDGE

July 17, 2018.*D.K./dinesh*

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No