

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

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**CM-17969-70-C-2016 in/and
RSA-6925-2016 (O&M)
Date of Decision : 07.08.2018**

Braham Parkash Appellant

Versus

Sri Bhagwan and others Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr. Abhishek Yadav, Advocate
for the applicant-appellant.

AJAY TEWARI, J. (ORAL)

CM-17969-70-C-2016

For the reasons recorded, the applications are allowed. Delay of 678 days in refiling and 2 days in filing the appeal is condoned.

RSA-6925-2016 (O&M)

This appeal has been filed against the concurrent judgments of the courts below dismissing a suit for permanent injunction filed by the appellant and his brothers regarding the land and agriculture implements etc. against their other siblings.

Both the courts below held that since admittedly the parties were co-sharers, a suit for injunction would not lie and the option for the appellant and his brothers was to seek partition.

Counsel for the appellant has not been able to show me how this finding is incorrect.

Appeal is dismissed. No costs.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

August 07, 2018
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No