

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

116

RSA-3220-2017 (O&M)

Date of Decision : 30.07.2018

Mainpal (since deceased) through his LRs

..... Appellants

Versus

Chandrawali and another

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

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Present :- Mr. S.S.Brar, Advocate  
for the appellant.

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**AJAY TEWARI, J. (Oral)**

This appeal has been filed against the concurrent judgments of the Courts below dismissing a suit filed by the appellant wherein he had contended that despite the declaration in the revenue record he is in cultivating possession of land measuring 15 kanals 7 marlas as a tenant without the payment of any rent.

The case of the respondents on the other hand was that the appellants were the tenants at batai of 1/3<sup>rd</sup> share and the entries to this effect in the jamabandi and khasra girdawaris were correct. In fact at one stage the predecessor of the respondents had filed a suit for recovery before the revenue record for recovery of rent which was decreed. The Courts below further noticed that after the recovery suit was decreed the appellants

did not make the payment whereupon the landlord had filed a petition for his ejectment and to obstruct and side step those proceedings the present suit was filed.

Counsel has not been able to show me how these findings are incorrect.

Appeal stands dismissed.

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

**( AJAY TEWARI )  
JUDGE**

**30.07.2018**  
*pooja sharma-I*

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