

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

RSA-2855-2018 (O&M)

Date of Decision:-8.5.2018

Raj Kumar

... Appellant

Versus

Ranjit Singh (Since Deceased) through LRs

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ravi Sharma, Advocate for the appellant.

GURVINDER SINGH GILL, J.

In view of the reasons mentioned in the application seeking condonation of delay, the delay of 208 days in refiling of the appeal is condoned.

The present appeal, filed by unsuccessful plaintiff, is directed against judgment dated 22.2.2017 passed by learned Additional District Judge, Karnal, whereby appeal filed by the plaintiff challenging judgment dated 7.10.2015 passed by Civil Judge (Junior Division), Karnal, has been dismissed.

The suit had been filed by the appellant/plaintiff seeking a declaration that he is in joint possession of the suit property, which was dismissed mainly on the ground that the Civil Court has no jurisdiction in view of the bar contained in Section 158 of the Punjab Land Revenue Act, 1887. The said finding regarding lack of jurisdiction had been affirmed by

the lower Appellate Court. Nothing has been shown to this Court to the contrary.

In view of the aforesaid position regarding lack of jurisdiction of the Civil Court, I do not find any merit in this appeal and the same is hereby dismissed. However, the appellant/plaintiff would be at liberty to avail of any other remedy available to him in accordance with law.

8.5.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No