

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

112

RSA-4065-2017 (O&M)

Date of Decision : 11.01.2018

Neta Ram and others

..... Appellants

Versus

Chet Ram

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Vipul Dharmani, Advocate
for the appellants.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of the courts below decreeing a suit filed by the respondent. The respondent had filed a suit in relation to the property in dispute on the basis of title and in the alternative seeking relief of possession of the same. Both the courts below found that the respondent was the owner and that the appellants were in unauthorized possession of the same since in an earlier suit filed by them challenging the partition proceedings (in which that particular property was allocated to the respondent) was finally dismissed upto the High Court.

The only argument raised by the counsel for the appellant is that once the courts below found that the respondent had not come with clean hands and had sought an injunction when he was not in possession, the suit had to be dismissed. However, he is not in a position to deny that in the alternative relief the possession was also sought in the suit.

Consequently, no fault can be found with the judgments of the courts below.

Appeal is dismissed. No costs.

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

January 11, 2018
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No