

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

**RSA No.5463 of 2017 (O&M)
Date of Decision.30.11.2018**

Balvir Singh

....Appellant

Vs

Kashmir Singh

...Respondent

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Kamal Narula, Advocate
for the appellant.

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AMIT RAWAL J. (ORAL)

The appellant-plaintiff has not been successful in seeking injunction against the defendant, his brother, qua forcible, illegal and unauthorized interference into the peaceful and continuous cultivating possession of land measuring 8 kanals comprised of Rect. No.17, Killa No.15(8-0) situated in village Mohan Ke Uttar, Tehsil Guru Har Sahai, District Ferozepur on the premise that jamabandi for the year 2008-09 placed on record as Ex.P1 reflected Kashmir Singh to be owner in possession.

No contrary argument raised or document is brought on record to controvert the concurrent finding of fact and law arrived at by the Courts below. In the absence of the same, declining the relief of injunction cannot be fault with.

The appeal is also accompanied by an application seeking condonation of delay of 207 days in filing of the appeal. The explanation lacks bona fides.

I do not find any illegality and perversity in the concurrent finding of fact rendered by the Courts below, much less,

no substantial question of law arises for determination by this Court.

No ground for interference is made out.

The second appeal is dismissed both on the ground of delay as well as on merit.

(AMIT RAWAL)
JUDGE

November 30, 2018

Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No