

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

RSA No.5854 of 2017 (O&M)

Date of Decision.04.12.2018

Sain Dass (since deceased) through LRs

....Appellant

Vs

State of Punjab and others

...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Rai Singh Chauhan, Advocate
for the appellant.

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AMIT RAWAL J. (ORAL)

C.M. No.15446-C of 2017

The application for impleading the legal representatives of deceased-appellant Sain Dass is allowed subject to all just exceptions and the legal representatives are ordered to be brought on record for the purpose of adjudication of the present appeal.

Main cases

The appellant-plaintiff has not been successful in claiming possession after removal of *malba* in respect of land measuring 14 marlas in the absence of proof of encroachment as no demarcation report had seen light of the day.

The appeal is also accompanied by application for condonation of delay of 566 days. The explanation lacks bona fide.

In view of the aforementioned facts, I do not find any illegality and perversity in the concurrent finding of fact, much less, no substantial question of law arises for determination by this Court.

No ground for interference is made out.

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

(AMIT RAWAL)
JUDGE

December 04, 2018
Pankaj*

Whether Reasoned/Speaking	Yes
Whether Reportable	No