

Punjab State and Others**.....Petitioners****Versus****Kaur Singh and Another****.....Respondents****CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL****Present:** Mr. N.K. Banka, DAG, Punjab,
for the appellants.Mr. Sarwinder Goyal, Advocate,
for respondents No. 1 and 2.**ANIL KSHETARPAL, J. (Oral)**

Defendants-appellants are in the Regular Second Appeal against the concurrent findings of facts arrived at by both the Courts below.

Dispute in the present case is with regard to the ownership of trees which are claimed to be standing on the private land. Learned State Counsel claims that the trees are part of the acquired land.

Learned trial Court has decreed the suit filed by the plaintiff to restrain the defendants not to cut the trees mentioned in the plaint without taking the demarcation of the property. The aforesaid decree has been affirmed by the Appellate Court.

Once the State of Punjab has been given liberty to get the land demarcated. It is for the State of Punjab to get the land demarcated and prove that trees are standing on the land acquired. Admittedly after the decree passed by the trial Court, no demarcation took place.

In view there, there is no ground to interfere with the concurrent findings of facts arrived at by both the Courts below. .

Regular Second Appeal is dismissed.

29.10.2018*Ajay Goswami***(ANIL KSHETARPAL)
JUDGE**