

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

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Date of decision: 09.12.2019

**XOBJC-19-C-2000 (O&M) in/and
RSA No.3176 of 1999 (O&M)**

Ganga Lal and others

... Appellants

Versus

Rattan Lal (deceased) thr Lrs and others

... Respondents

RSA No.1539 of 2000 (O&M)

Nathi (deceased) thr Lrs and others

... Appellants

Versus

Rattan Lal and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Lokesh Sinhal, Advocate
for cross objectors/applicants-respondents No. 1 to 11
in RSA- 3176 of 1999
for respondents No. 1, 3 to 5 and 10 in RSA- 1539 of 2000

Mr. Adarsh Jain, Advocate
for the appellants in RSA- 3176 of 1999

Mr. Vishal Singh, Advocate for
Mr. Keshav Partap Singh, Advocate
for respondents No. 13 to 16 in RSA- 3176 of 1999
for the appellants in RSA-1539 of 2000

REKHA MITTAL, J. (Oral)

CM No.12526-C of 2017 in RSA No.1539 of 2000

Counsel for the parties have got no objection, if RSA Nos.3176 of 1999 and 1539 of 2000 are taken on board.

In view of the above, application stands disposed of and RSA Nos.3176 of 1999 and 1539 of 2000 are taken on board today itself.

CM No.2991-C of 2018 in RSA No.1539 of 2000

Prayer in this application is for impleading legal representative(s) (in short "LRs") of Nathi-appellant No.1 and Mangal-appellant No.3.

In view of averments made in the application supported by an

affidavit of Surrender Kumar son of Mahi Lal and arguments advanced, application is allowed and persons mentioned in para 2 of the application are allowed to be brought on record as LR's of Nathi-appellant No.1 and Mangal-appellant No.3 (since deceased), subject to just exceptions, for the purpose of present lis only.

Amended memo of parties is taken on record.

Disposed of accordingly.

Main Cases

This order will dispose of RSA Nos.3176 of 1999, 1539 of 2000 and cross objections No.19-C-2000 in RSA No.3176 of 1999 as identical questions of law and fact are involved for adjudication. For facility of reference, facts are taken from RSA No.3176 of 1999.

Mr. Adarsh Jain, Advocate, counsel for the appellants in RSA No.3176 of 1999 and Mr. Vishal Singh, Advocate for Mr. Keshav P. Singh, Advocate (RSA No.1539 of 2000) would state that they have got no objection, if the respondents/plaintiffs are declared to be owners in possession of land comprising khasra No.361 to the extent property is reported to be in possession of Pritam son of Shiv Singh, Dhan Singh son of Ram Dyal, Shiv Charan, Amar Singh son of Sukhi Ram, Charan Lal son of Har Narayan, Jamna wife of Mati Ram, Leele son of Lohre, Jeevan Lal son of Ratan Lal (37 sq. yards and 22 sq. yards), Mahi Lal son of Suhka, Kanhi Ram son of Samwaliya in the site plan prepared by Tehsildar, Hodal (Palwal) appended with the report of demarcation prepared by the said authority, in pursuance of directions issued by this Court vide order dated 09.07.2019. They would further state that appeals and cross objections may be disposed of in the aforesaid terms.

Counsel representing the respondents in both the appeals have got no objection to dispose of the appeals and cross objections in the aforesaid terms.

Counsel for the parties are *ad idem* that report prepared by Tehsildar, Hodal and site plan appended thereto may be made part of the decree.

In view of the above, appeals and cross objections stand disposed of. The demarcation report prepared by Tehsildar, Hodal and site

plan appended thereto shall form part of the decree.

09.12.2019

(REKHA MITTAL)
JUDGE

ashok

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No