

RSA-3941 of 2019 (O&M)

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

RSA-3941 of 2019 (O&M)
Date of decision: 20.08.2019

Harjit Singh

.....Appellant

versus

Baljinder Kaur and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Dilpreet Singh Gandhi, Advocate, for the appellant.

RAMENDRA JAIN, J. (ORAL)

Appellant Harjit Singh, a stranger to the suit property, has filed this Regular Second Appeal against judgment and decree of the appellate Court dated 29.05.2019, whereby suit of the respondents for permanent injunction was decreed in toto, reversing judgment and decree of the trial Court dated 13.02.2017.

Briefly, respondents filed a suit for permanent injunction restraining the appellant-defendant from interfering into their peaceful possession or dispossessing them forcibly from the house in dispute, fully detailed in headnote of the plaint.

After holding trial, suit of the respondents-plaintiff was dismissed by the trial Court vide judgment and decree dated 13.02.2017.

Being aggrieved, respondents preferred appeal, which vide judgment and decree dated 29.05.2019 was accepted, thereby restraining the appellant-defendant from dispossessing the respondents from the suit land illegally, except in due course of law.

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Heard.

No question of law much less substantial has been raised in this appeal.

Admittedly, appellant is not the owner of the suit property. He has filed instant appeal claiming himself to be a general attorney of Smt. Sumitan Ghai, a NRI, which procedure is unknown to law inasmuch as it was only Sumitan Ghai, who could file this appeal, if she was aggrieved by the judgment of the lower appellate Court.

Learned counsel for the appellant has not been able to show any right, title or interest of the appellant in suit property. Hence, appellant is liable to be outrightly non-suited by dismissing his appeal with exemplary costs. However, at this stage, learned counsel for the appellant prays for withdrawal of instant appeal.

Dismissed as withdrawn.

August 20, 2019
R.S.

(Ramendra Jain)
Judge

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No