

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

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RSA-2319-2010 (O&M)

Date of decision: 08.05.2019

PRABHU AND ORS.

... Appellants

Versus

SHISH PAL AND ORS.

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Prem Nath Aggarwal, Advocate for the appellants.
Mr. Chetan Mittal, Sr. Advocate with
Mr. Vishal Garg, Advocate for the respondents.

REKHA MITTAL, J. (Oral)

The present appeal directs challenge against concurrent findings recorded by the Courts whereby suit filed by the appellants claiming permanent injunction and possession was dismissed by the trial Court vide judgment and decree dated 24.12.2005 that came to be affirmed in appeal by the Additional District Judge, Rewari vide judgment and decree dated 25.11.2009.

Counsel for the parties are *ad idem* that the present appeal may be disposed of but with modification that findings recorded by the Courts with regard to ownership of suit land measuring 31 kanal and 2 marlas claimed by the appellants would not cause prejudice to the appellants in proceedings before the Revenue Court seeking partition of their share out of the joint shamlat land, if so filed by any of the co-sharers.

In view of the above, the present appeal stands disposed of.

08.05.2019

ashok

**(REKHA MITTAL)
JUDGE**

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No