

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

RSA No. 4642 of 2011 (O&M)
Date of decision: 11.3.2019

Jagmeet Singh and another

....Appellants

VERSUS

Jarnail Kaur and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. R.S. Chauhan, Advocate for the appellants.

Mr. N.K. Manchanda, Advocate for the respondents.

REKHA MITTAL, J.(Oral)

Counsel for the appellants would state that in view of the observations made by this Court vide order dated 27.02.2019, he has examined the issue of maintainability of suit for mandatory injunction. He would further state that appeal may be disposed of but without prejudice to right of the appellants to file a suit for possession and mesne profits, in accordance with law. He would pray that since the litigation is pending since 2002, direction may be issued to the trial Court for disposal of the suit for possession in a time-bound manner.

Counsel for the respondents has got no objection.

In view of the above, the appeal stands disposed of but without prejudice to right of the appellants to take recourse to appropriate remedy in law for recovering possession and mesne profits from the respondents. In case the appellants file a suit for possession and mesne profits, the same shall be decided by the trial Court within one year from the date of appearance by the respondents/defendants.

MARCH 11, 2019
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No