

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

**RSA No.1500 of 2016 (O&M)
Date of decision:03.04.2019**

Fakruddin and another ... Appellants

Vs.

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Mohammad Arshad, Advocate, for the appellants.

AMIT RAWAL J. (Oral)

The short point involved in the present regular second appeal is whether the suit of the plaintiffs under the garb of declaration and injunction claiming ownership in possession of agricultural land which had already been allotted in the year 1984 by the Custodian Department, can be maintained, the answer is 'No'. This is what has been noticed by both the Courts below.

At this stage, learned counsel for the appellants seeks withdrawal of the appeal and suit with liberty to avail the remedy in accordance with law.

I am afraid the aforementioned relief cannot be granted as this fact came to the knowledge of the plaintiffs during the pendency of the suit and appropriate steps could have been taken at the relevant point of time.

No ground is made out for interference.

Resultantly, the regular second appeal is dismissed.

April 03, 2019

savita

(AMIT RAWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No