

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

**RSA No.2058 of 2016 (O&M)
Date of Decision.04.04.2019**

Paras Ram

...Appellant

Vs

Ram Chander and another

..Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. S.S. Khurana, Advocate
for the appellant.

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AMIT RAWAL J. (ORAL)

C.M. No.5416-C of 2016

Learned counsel for the appellant submitted that the deficiency of court fee has been made good.

In view of aforementioned fact, the application stands allowed.

RSA No.2058 of 2016

The short point involved in the present regular second appeal is whether the plaintiff could succeed in obtaining possession of land measuring 8 sq. yards on the basis of registered decree dated 25.01.1992 but not reflected in the revenue record, which otherwise reflects joint ownership with the defendants, the answer would be 'no'. The remedy is to seek the joint or separate possession in accordance with law.

It is also matter of record that prior to the filing of the present suit, an attempt was also made to seek partition of the suit property in the year 1999 without pleading decree which was

withdrawn. The aforementioned reasons were and are sufficient for non-suiting the plaintiff.

In view of such circumstances, the judgments and decrees rendered by the Courts below cannot be said to be suffering from illegality and perversity, much less, no substantial question of law arises for determination by this Court. No ground for interference is made out. Resultantly, the second appeal is dismissed.

(AMIT RAWAL)
JUDGE

April 04, 2019
Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No