

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

**RSA No.2138 of 2016 (O&M)
Date of Decision.06.03.2019**

Dharampal (since deceased) through LRs and others ...Appellants

Vs

Chhida and another ...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Amit Kashyap, Advocate for
Mr. M.S.Tewatia, Advocate
for the appellants.

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AMIT RAWAL J. (ORAL)

C.M. No.5641-C of 2016

For the reasons stated in the application, delay of 4 days
in re-filing of the appeal is condoned.

Application is allowed.

RSA No.2138 of 2016

The short point involved in the present appeal is whether the appellant-defendant, who in the written statement admitted possession of the plaintiff, though as licensee, can be permitted to dispossess the plaintiff forcibly, the answer is 'no'. Any person who claimed to be owner or licensor cannot be permitted to take possession or interfere into peaceful possession of the opposite party except in due course of law. Injunction is only to that effect.

In view of such circumstances, I do not find any illegality and perversity in the concurrent finding of fact, 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

March 06, 2019
Pankaj*

Whether Reasoned/Speaking Yes/No

Whether Reportable Yes/No