

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

RSA No.788 of 2016 (O&M)

Date of decision:16.05.2019

Simarpreet Singh

... Appellant

Vs.

Budh Singh @ Rajinder Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Tushar Sharma, Advocate
for the appellant.

AMIT RAWAL J. (Oral)

Short point involved in the present regular second appeal is whether the defendants can assail the innocuous injunction decree in favour of the plaintiffs who were found to be in possession of the suit property, the answer would be 'No'.

Both the parties assailed the ownership on the premise that defendants were alleged to be owners in possession of land measuring 29 kanals 6 marlas vide sale deed dated 4.8.1952 but could not place on record any material to establish that property in possession of the plaintiffs proved on record through revenue record. In such circumstances, in my view, there cannot be possibly any grievance against the appellant-defendants qua forcible interference.

In view of the aforementioned observations, no ground is made out for interference.

Resultantly, the regular second appeal is dismissed.

May 16, 2019
savita

(AMIT RAWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No