

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA No.1038 of 2017 (O&M)

Date of decision:16.01.2019

Bansa Ram and others

... Appellants

Vs.

Banta Ram and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Vinod Bhardwaj, Advocate
for the appellants.

AMIT RAWAL J. (Oral)

On instructions from his clients, learned counsel for the appellants submits that talks of compromise are going on.

It is a case where suit for mandatory injunction claiming possession has been filed without payment of court fee. The suit *ex facie* was not maintainable. This is what was noticed in the previous order dated 12.10.2018. On a specific query raised to the learned counsel for the appellant, no answer has been given. Even otherwise also, despite placing on record umpteen number of documents to establish encroachment, no demarcation report, has been placed on record. In such circumstances, the Courts below have no other occasion but to dismiss the suit.

In view of above, findings of fact and law arrived by both the Courts below cannot be said to be suffering from illegality and perversity, much less no substantial question of law arises for adjudication of the

present appeal.

Resultantly, the appeal is dismissed.

(AMIT RAWAL)
JUDGE

January 16, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No