

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

**RSA No.3199 of 2017 (O&M)
Date of Decision.20.02.2019**

Bhajan Kaur and others
Vs
Balwinder Kaur

...Appellants
...Respondent

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Satinder Khanna, Advocate
for the appellants.

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AMIT RAWAL J. (ORAL)

The appellants-defendants have not been able to defend suit for possession filed by the plaintiff in respect of land measuring 1 ½ marlas of land comprising of khewat No.81, khatauni No.154, Khasra No.12//27/1/0-10 based upon two demarcation reports dated 27.01.2010 and 12.06.2010 pre and post filing of the suit on 02.06.2012.

The only contention which has been raised is that both the reports did not comply with directions of the Financial Commissioner as no pucca point has been established to form encroachment.

I am afraid aforementioned argument of Mr. Khanna is not sustainable, as both the demarcation reports have been conducted in the presence of the parties, though defendants denied that they never encroached or erected any cattle shed. The aforementioned reports have gone un rebutted as no contrary evidence in this regard has been placed on record.

In view of aforementioned circumstances, the argument of Mr. Khanna has not been able to cut ice to bring the case within

the realm of 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

February 20, 2019
Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No