

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

RSA No.3293 of 2017 (O&M)

Date of decision:22.02.2019

Chunni Lal (deceased) through LRs

... Appellant

Vs.

Om Parkash

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Ashok Kaushik, Advocate
for the appellant.

AMIT RAWAL J. (Oral)

The present regular second appeal is arising out of the judgments and decrees rendered by both the Courts below whereby appellant-plaintiff has not been successful in claiming the partition with consequential relief of permanent injunction simply on the reasoning that in an earlier round of litigation initiated by the sisters wherein it has been proved on record that property amongst the parties to the lis had already been partitioned. The second partition is not permissible. This is what has been noticed by both the Courts below.

The appeal is also accompanied by an application seeking condonation of delay of 317 days in re-filing the appeal. The explanation given in the application is bereft of the reasoning.

In view of the aforementioned observations, the appeal is dismissed on merits as well as on limitation.

February 22, 2019

savita

(AMIT RAWAL)
JUDGE

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