

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

124

**RSA No. 4552 of 2017 (O & M)
Date of decision : 25.2.2019**

Ajay Batta and others

.....Appellants

v.

Sunil Kumar and others

.....Respondents

CORAM HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Ms. Sonia G. Singh, Advocate, for the appellants

AMIT RAWAL, J.

The short point involved in the present appeal is whether the respondents/plaintiffs have not been able to prove the possession in a suit for injunction, which was sought on the basis of title and the appellant/defendants can be permitted to dispossess the plaintiffs, except in due course of law, the answer is 'No'. The law with regard to the protection of the person, who is in possession since long, is no longer res integra in view of the principle culled out in **Rame Gowda (dead) through LRs v. M. Varadappa Naidu (dead) through LRs and another 2004 (1) SCC 7**

In such circumstances, the injunction has rightly been granted. Arguments of learned counsel for the appellants is not able to bring the case within the realm of perversity.

No ground for interference is made out much less involvement of any substantial question of law.

Dismissed.

**(AMIT RAWAL)
JUDGE**

25.2.2019

Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No