

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

RSA No.4187 of 2018 (O&M)

Date of decision: 14.3.2019

Babita Garg

....Appellant

VERSUS

Devi Singh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Suman Jain, Advocate for the appellant.

REKHA MITTAL, J.(Oral)

Counsel for the appellant, on instructions, would state that the appeal may be disposed of but without prejudice to right of the appellant to file an appropriate application for partition of land and raise a plea that since the suit was a simplicitor suit for injunction, any findings recorded by the Court with regard to ownership would not constitute res judicata against him. He would further state that she may also be left at liberty to file a suit to challenge judgment and decree dated 04.04.1989 passed in favour of Smt. Bimla Sharma and others.

In view of the above, present appeal stands disposed of. The appellant may take recourse to remedy, if any, in accordance with law.

MARCH 14, 2019

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No