

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.6011 of 2017 (O&M)

Date of Decision: March 18, 2019

Yad Ram

...Appellant

Versus

Sohan Lal

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. B.S.Tewatia, Advocate,
for the appellant.

AMIT RAWAL, J. (Oral)

Plaintiff had sought the following relief:-

“Claim for a decree for permanent injunction, restraining the defendant from encroaching the suit property mentioned in Para No.1 of the plaint in any manner and also from raising any construction over the same, may kindly be passed in favour of the plaintiff and against the defendant with costs.

If the defendant succeed in raising any construction over any portion of suit property mentioned in Para No.1 of the plaint during the pendency of the suit, in that case, a decree of mandatory injunction directing the defendant to remove their said illegal and unauthorized construction and encroachment from the suit property at his own costs, may kindly be passed in favour of the plaintiff and against the defendant with costs.”

He was not successful before the courts below.

This Court raised a specific query to the learned counsel for the appellant as to whether any demarcation was conducted to establish the alleged averments, the answer is 'No'. In such circumstances, the suit has

rightly been dismissed.

For the reasons mentioned above, no ground for interference in the concurrent findings of the courts below is made out, much less involvement of any substantial question of law. Resultantly, the appeal is dismissed.

March 18, 2019
ramesh

(AMIT RAWAL)
JUDGE

**Whether speaking/reasoned
Whether Reportable:**

Yes/No
Yes/No