

Sr. No.350

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

RSA No.1041 of 1989 (O&M)

Date of Decision: 15.01.2020

Parkash and another

... Appellants

Versus

Satbir and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Umesh Aggarwal, Advocate
for the appellant.

Mr.Birender Singh Rana, Sr. Advocate with
Ms.Divya Bajaj, Advocate
for respondent No.1 and 3.

Mr.Pradeep Punia, Advocate
for the respondent No.2.

ARUN MONGA, J.(ORAL)

The present second appeal pertains to a lis which originated sometime in the year 1983 when the appellant (herein) filed a suit for permanent injunction seeking a restraint on the defendants on the apprehension that they were interfering with the peaceful possession of the suit property. The trial Court decreed the suit in favour of the plaintiffs restraining the defendants from interfering in the possession of the plaintiff/appellant. However, the lower appellate court reversed the decree on the ground that plaintiff was not found to be in possession. Be that as it may, statement is made at bar by Mr.Pradeep Punia representing the respondent/defendants that the defendants neither at the time of

filing the suit nor even today mean to disturb the possession of the plaintiff in the suit property as they are totally strangers to the suit property and have nothing to do with the same. Without making any observation qua the possession of the suit property, in view of the statement of the learned counsel on behalf of the respondents/defendants, the present appeal is disposed of as infructuous with an observation that defendants/respondents herein shall be bound by the statement made at the bar before this Court.

Disposed of in above terms.

(ARUN MONGA)
JUDGE

15.01.2020
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No