

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

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**RSA No.1877 of 2019 (O&M)
Date of Order:02.03.2020**

DIVYA WALIA

..Appellant

Versus

ARUN WALIA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Shivam Malhotra, Advocate, for
Mr. Manuj Nagrath, Advocate, for the appellant.

ANIL KSHETARPAL, J(Oral)

Learned counsel for the appellant fairly admits that against the judgment passed by the learned first appellate Court, this Court has passed the following order in Regular Second Appeal No.1296 of 2019 (*Sudershan Walia vs. Arun Walia and others*), decided on 08.03.2019:-

“A suit for separate possession has been dismissed by the First Appellate Court on the ground that other joint properties have not been included.

Learned counsel for the appellant does not dispute this factual position.

In view of the aforesaid, it is always open to the plaintiff-appellant to file a fresh suit by including all the joint properties.

In view of the above, the present Regular Second Appeal is disposed of.”

Keeping in view the aforesaid facts, the present regular second appeal is disposed of in the same terms.

March 02, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No