

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

RSA-4532-2015 (O&M)
Date of decision : 17.03.2020

Inder Singh and another ...Appellants

Versus

Gurmukh Singh and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jasdeep Singh Gharuan, Advocate for the appellants.

Mr. Avnish Mittal, Advocate for the respondents.

ANIL KSHETARPAL, J. (ORAL)

Defendant Nos.1 and 4 have filed the present Regular Second Appeal against the judgment passed by the learned First Appellate Court resulting in grant of decree for permanent injunction restraining the defendants-appellants from interfering in possession of the plaintiffs and from forcibly dispossessing the plaintiffs.

The parties are stated to be the co-owners of the property in dispute. The property is a non-agricultural land. The First Appellate Court, on appreciation of evidence, has found that the plaintiffs are in exclusive possession of the property.

Keeping in view the aforesaid finding, this Court does not find any good ground to interfere, however, the defendants-appellants would be at liberty to file a suit for partition, if so advised.

Accordingly, the present Regular Second Appeal is disposed of.

All the pending miscellaneous applications, if any, are disposed of, in view of the abovesaid judgment.

17.03.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No