

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

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**RSA No. 9908 of 2018
Date of decision : 28.1.2020**

Om Parkash Dhingra

.....Appellant

Vs.

Chander Parkash Dhingra and another

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Vikram Singh, Advocate, for the appellant
Mr. Sapan Dhir, Advocate, for the respondent No. 1

Rajbir Sehrawat, J. (Oral) :

This is the second appeal filed by the unsuccessful plaintiff, challenging the concurrent judgments and decrees passed by the Courts below, in a suit for injunction, filed by the plaintiff/appellant for restraining the defendants from interfering in possession of a passage between shops No. 4 and 5, which was stated to be a passage left during family settlement.

Both the Courts below have recorded concurrent findings of facts that there had not been any family settlement, as claimed by the plaintiff. Otherwise also, it is not disputed that the family settlement, which is sought to be relied upon by the plaintiff/appellant is not signed by the defendants as such. Accordingly, whatever be the contents of that family settlement, the same cannot be read as binding against the rights of the defendants.

During challenge to concurrent findings of fact recorded by the Courts below, learned counsel has not pointed out any error of law or procedure or any substantial question of law, as involved in this appeal

In view of the above, finding no illegality or perversity in the impugned judgments and decrees, the present appeal is dismissed.

**(RAJBIR SEHRAWAT)
JUDGE**

28.1.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No