

**In the High Court of Punjab and Haryana, at Chandigarh**

**Regular Second Appeal No. 641 of 2021 (O&M)**

**Date of Decision: 15.09.2021**

Raghvir Singh alias Balbir Singh and Others

... Appellant(s)

Versus

Ram Dass

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**

Present: Mr. Naveen Batra, Advocate  
for the petitioner(s).

**Anil Kshetarpal, J.**

1. The defendants assail the correctness of the concurrent finding of facts arrived at by the Courts below while decreeing the suit filed by the respondent (plaintiff) for decree of permanent injunction. The plaintiff filed the suit claiming that the defendants are interfering in his possession, although they have no right or title or interest in the property.

2. During the pendency of the suit, a Local Commissioner was appointed, who, after carrying out the demarcation, found that the defendants have illegally encroached upon the certain portion of the land belonging to the plaintiff. Thus, the trial Court, while passing a decree of permanent injunction, also directed the defendants to remove the encroachment. The defendants filed an appeal, which has also been dismissed on re-appreciation of the evidence.

3. The learned counsel representing the appellants, although made sincere attempts, however, failed to draw the attention of the Court to any

error or perversity in the findings of facts.

4. Keeping in view the aforesaid facts, no ground to interference is made out. Hence, the present appeal is dismissed.

5. The miscellaneous application(s) pending, if any, shall stand disposed of.

**(Anil Kshetarpal)**  
**Judge**

**September 15, 2021**

**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No