

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

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RSA No.100 of 2021 (O&M)
Date of decision: 05.03.2021

KULTAR SINGH

...Appellant

Versus

TARLOCHAN SINGH @ MANJIT SINGH AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. AS Kalra, Advocate for the appellant.

ANIL KSHETARPAL, J. (Oral)

CM-868-C-2021

For the reasons contained in the application, application is allowed and delay of 90 days in filing the appeal is condoned.

Main Case

The plaintiff-appellant is in regular second appeal against concurrent findings of fact arrived at by the Courts below while dismissing suit for grant of decree of permanent injunction restraining the defendants from encroaching upon the alleged passage comprised in khasra No.407 and 413. It is the case of the plaintiff that he was using the passage to go to his fields. The defendant while contesting submitted that after demarcation of the land by the revenue authorities, he has constructed the boundary wall. Before the trial Court, plaintiff admitted that the wall which has been constructed does not cause any hinderance in his passage. Learned First Appellate Court has found that as per jamabandi the land comprised in khasra No.407 and 413 is owned by the defendants.

Keeping in view the aforesaid facts, no ground to interfere in

the judgments passed by the Courts below is made out.

Dismissed.

05.03.2021
ashok

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No