

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

RSA-333-2021(O&M)
Date of decision: 28.06.2021

Deep

.....Appellant

Versus

Municipal Committee, Uklana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Vinod Kumar, Advocate, for the appellant

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-appellant is in Regular Second Appeal against the judgment and decree passed by the learned First Appellate Court. The plaintiff filed a suit for grant of permanent injunction restraining the Municipal Committee, Uklana, from interfering in his possession, on the basis of the alleged resolution of the Gram Panchyat dated 09.09.1995 allotting the land in his favour. However, he failed to prove the allotment by the Gram Panchayat. Subsequently, the village came within the municipal limits and therefore, the Shamlat Deh vested in the Municipal Committee. Since, the plaintiff failed to produce any evidence that the land in question was allotted to him, the learned First Appellate Court reversed the judgment of the Trial Court and refused to grant any injunction. The land in possession of the appellant is a public land. In the absence of any evidence of any right in favour of the plaintiff, the learned First Appellate Court has taken a correct view of the matter. Hence, no ground to interfere is made out.

Dismissed.

All pending miscellaneous applications, if any, also stand disposed of.

28.06.2021
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No