

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

CR-2707-2020 (O&M)
Date of decision : 21.01.2021

Ranbir Singh

...Petitioner

Versus

Kuldeep and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Kundu, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-petitioner has assailed the correctness of the order passed by the learned trial Court as well as the First Appellate Court dismissing the application for temporary injunction.

The plaintiff claims that he is owner in possession of the land comprised in Khasra No.366 situated in *abadi deh* of the village. The plaintiff, in his suit, claims that he has constructed a plot measuring 296 square yards. Both the Courts have found that the plaintiff previously filed a suit for possession of entire area comprised in Khasra No.366. In the aforesaid suit, the plaintiff had also prayed for decree of permanent injunction. The suit was dismissed on 18.07.2016. The first appeal as well as the second appeal have also been dismissed.

Learned counsel for the petitioner does not dispute that fact.

However, he submits that now the defendants now wants to demolish his

construction.

Once, it is not in dispute that the previous suit filed by the plaintiff has also been dismissed, there is no prima facie case in favour of the plaintiff. Hence, no ground to interfere.

Accordingly, the present revision petition is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the above-stated order.

21.01.2021

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No