

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

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**RSA-499-2022 (O&M)
Date of Order: 15.03.2022**

NADAR SINGH AND ANOTHER

..Appellants

Versus

SUCHA SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Shalini Verma, Advocate
for the appellants.

ANIL KSHETARPAL, J(Oral)

CM-1480-C-2022

For the reasons stated in the application which is supported by an affidavit, the application is allowed. The delay of 93 days in filing the appeal is condoned.

CM stands disposed of.

Main

While assailing the concurrent findings of the facts arrived at by the Courts below, the defendants have filed this Regular Second Appeal. Both the Courts, on appreciation of evidence have decreed the suit filed by the respondent-Sucha Singh while restraining the defendants from interfering into his peaceful possession of a plot which was purchased by him from Sh. Vinesh Chander vide a sale deed dated 06.04.1993. The defendants contested the suit claiming that they are also the owner of a vacant plot of land pursuant to a sale deed executed in the year 1997.

Both the Courts, on appreciation of evidence, have recorded a concurrent finding of fact that there are two different plots located in two different locations. It has been found that the plot purchased by the plaintiff

is separate from the plot purchased by the defendants. Both the Courts have also found that the plot owned by Sucha Singh abuts two streets from the Northern-Eastern side, whereas, the plot purchased by the defendants abuts the two streets from the East-Southern side, and both are altogether located in different directions.

The learned counsel representing the appellant contends that in a previous suit, the parties had entered into a settlement and therefore, the suit could not be decreed.

The previous suit filed by Sh.Nadar Singh was disposed of in terms of the settlement. The prayer made in the suit is in no way in conflict with the settlement arrived at between the parties in the previous suit.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

March 15th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No