

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

RSA-3769-2019 (O&M)

Date of decision: 08.09.2022

Giani Ram and others

....Appellants

Versus

Smt. Luxmi Devi and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajnish Gupta, Advocate for
 Mr.J.P.Sharma, Advocate for the appellants

ANIL KSHETARPAL, J (Oral)

The defendants assail the concurrent findings of fact arrived at by the the First Appellate Court. The previous suit filed by the plaintiffs for grant of decree of possession was decreed on 12.12.1993. The aforesaid judgment and decree was uploaded by the High Court on its official website on 10.02.2010. In the execution of the warrants of possession, the possession of the property was delivered to the plaintiffs. They filed the present suit for grant of permanent injunction restraining the defendants from interfering in his peaceful possession. The trial court dismissed the suit on the ground that plaintiff no.4 in violation of the injunction order has sold the property. The First Appellate Court reversed the aforesaid findings.

Heard the learned counsel representing the appellant at length and with his able assistance perused the paperbook. He contends that the first appeal was filed by plaintiff no. 5 & 6 and not by plaintiff no.1 to 4. It may be noticed that Order XLI Rule 4 of the Code of Civil Procedure, 1908, enables even one plaintiff to seek reversal of the entire

judgment. No other point was pressed by the learned counsel representing the appellant.

Hence, no ground to interfere is made out.

Dismissed.

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

08.09.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE