

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**FAO-2180-2022 (O&M)**
Date of decision:15.07.2022**Sukhwant Singh****....Appellant****V/s.****Paramjit Kaur and others****....Respondents****CORAM: HON'BLE MS. JUSTICE RITU BAHRI**
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**Present:** Ms. Anna Anand, Advocate for
Mr. Keshav Gupta, Advocate
for the appellant.**********Ritu Bahri, J. (Oral)**

The appellant has come up in appeal against the judgment and decree dated 08.02.2022 whereby his suit for permanent injunction restraining defendants i.e. Paramjit Kaur, his wife, brother-in-law and father-in-law from the house, had been dismissed.

A perusal of para No. 9 of the said judgment shows that the plaintiff-appellant pleaded himself as owner of the house. However, he did not place on record any sale deed, gift deed or fard jamabandi as proof of his ownership. In cross-examination, he volunteered that it was within red line area. In this situation, whoever is in possession is considered to be owner. He himself admitted that he was not residing in the house in question and defendant No.1 i.e. Paramjit Kaur was residing alone in that house. Since no evidence had come on record to show that he was the owner, the trial Court had rightly dismissed his suit.

Hence, no ground to interfere in the judgment and decree dated 08.02.2022 is made out.

Appeal alongwith the pending application is hereby dismissed.

(RITU BAHRI)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

15.07.2022
Divyanshi

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No