

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

CR-4232-2022 (O&M)

Date of decision: 29.09.2022

Rajiv Kumar

....Petitioner

Versus

Ashok Gupta and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sukhdev Singh, Advocate for
 Mr. Parminder Singh, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

The petitioner herein is a plaintiff. An application for grant of temporary injunction has been dismissed by the trial court as well as the Appellate Court. Challenging the correctness of the aforesaid concurrent orders, the present revision petition has been filed. The petitioner claims to be owner in possession of the property on the basis of a transfer deed dated 26.02.2018. It is the case of the plaintiff that the defendants have occupied his property on the eastern side. There is a 50 feet long common wall between the properties.

On the other hand, the defendants claim that the aforesaid transfer deed is collusive and the effort is to dispossess the defendants from the property. Hence, the main issue is, “As to whether there is any encroachment made by the defendants or not?” The plaintiff prays for the grant of temporary injunction restraining the defendants from carrying out further construction or parting with the possession of the property. Both the courts have already examined the aforesaid aspect, while dismissing the application.

Learned counsel representing the petitioner, although made sincere attempts, however, failed to draw the attention of the Court to any perversity or material error.

Hence, no ground to interfere is made out.

Dismissed.

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

29.09.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE