

2023:PHHC:119129

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

RSA-5507-2019 (O&M)
Date of decision: 11.09.2023

Jarnail Singh

..Appellant

Versus

Paramjit Kaur

.Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. M.S.Dhami, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

1. The correctness of the concurrent findings of fact arrived at by the courts below is challenged by the defendant in this Regular Second Appeal. The dispute is with regard to the removal of shade/projection which is protruding in the street. It has come on record that the defendant while appearing in evidence has admitted her signatures on the agreement (Ex.P3) dated 06.08.2014 wherein she agreed to leave space with the dimensions of 2 feet x 66 feet as the street on receipt of Rs.33,000/-. Both the courts have found that once she has admitted her signatures on the agreement Ex.P3 then she has no right to construct projections, which are protruding in the street.
2. Learned counsel representing the appellant, although made sincere attempt, however, failed to draw the attention of the Court to any substantive error in reading or mis-reading of the evidence.
3. Hence, no ground to interfere is made out.
4. Dismissed.

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

11.09.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE