

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

RSA-2662 of 2018 (O&M)

Date of Order:17.10.2023

Kashmir Kaur**Appellant****Versus****Gram Panchayat Village Rurka Khurd and another****..Respondents****CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

**Present: Dr. Naresh Kaushik, Advocate and
Mr. K.S.Dhanora, Advocate
for the appellant.**

ANIL KSHETARPAL, J

1. The correctness of the concurrent findings of fact arrived at by the courts below is challenged by the plaintiff in this regular second appeal.

2. Her suit for grant of decree of permanent injunction restraining the Gram Panchayat from interfering or dispossessing her from the suit property described in the site plan with words 'ABCD' has been dismissed by both the courts below.

3. It has come on the record that the plaintiff is the owner of the property comprised in khasra no.834, whereas the property comprised in khasra no.835 belongs to the Gram Panchayat of the village. Moreover, the appellant on 07.06.2014 (Ex.D5) admitted her possession over the land comprised in khasra no.835 and undertook to vacate the same by 31.12.2014, however, thereafter she filed the suit.

4. Both the courts on appreciation of the evidence have concluded that the suit property is comprised in khasra no.835 and not in khasra

no.834.

5. The learned counsel representing the appellant contends that the ownership of the appellant over the land comprised in khasra no.834 is not disputed by the Gram Panchayat and the plaintiff has filed a suit with respect to the land comprised in khasra no.834 and not in khasra no.835.

6. This court has considered the submissions of the learned counsel representing the appellant.

7. The plaintiff has filed the suit for grant of permanent injunction with regard to the property shown in the site plan with words 'ABCD'. As per the concurrent finding of the courts below such portion of the property falls in khasra no.835 and not in khasra no.834.

8. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.

9. Dismissed.

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

October 17, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO