

2024:PHHC:004060
**133 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

RSA-1681-2019 (O&M)
Date of decision: 12.01.2024

Paramjit Singh

....Appellant

Versus

Joginder Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Prateek Pandit, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

1. In this Regular Second Appeal, the plaintiff assails the correctness of the concurrent findings of fact arrived at by the courts below, while dismissing his suit for the grant of decree of permanent injunction restraining the defendants or their agents from cutting and selling the trees planted on the joint land. Both the courts, on appreciation of the evidence, have come to a conclusion that the suit for the grant of permanent injunction is not maintainable against the co-sharer and the remedy is to seek partition. Moreover, when the appellant appeared as PW1, he admitted that the defendants (respondents herein) filed a partition suit, which was decreed and the disputed trees have fallen to the share of the defendants.

2. Keeping in view the aforesaid facts, no ground to interfere is made out.

3. Hence, dismissed.

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

12.01.2024
rekha

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

(ANIL KSHETARPAL)
JUDGE