

2024:PHHC:042216
132 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-2392-1991 (O&M)
Date of decision :22.03.2024

Ashwani Kumar and others ...Appellants

Vs.

State of Punjab and others ...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. A.P. Kaushal, Advocate
for the appellants.

Mr. Kanav Singla, AAG, Punjab.

Mr. M.S. Sachdeva, Advocate
for respondent No.3.

ANIL KSHETARPAL, J.(Oral)

1. This is plaintiff's Regular Second Appeal against the concurrent findings of fact arrived at by the courts below, while dismissing his suit for the grant of decree of injunction restraining the defendants from removing wooden khokhas placed on the road side.
2. Learned counsel representing the appellant does not dispute that the suit property upon which the wooden khokhas have been placed is the Government property. The appellants have failed to establish any right, title or interest in the property. He further submits that the possession of the appellants is for the last 30 years and therefore, the court should allow them to continue to be in possession and the disputed land has never been utilized by the Government.
3. *Per contra*, learned counsel representing respondent No. 3 submits that on account of these wooden khokhas, widening of the road

has been stalled and it is causing a lot of inconvenience to the general public. Moreover, there is an order of eviction against the appellants under the Punjab Public Premises and Land (Eviction and Rent) Act, 1973, which has become final.

4. In view of the aforesaid, no ground for interference is made out.
5. Hence dismissed.
6. All the pending miscellaneous applications, if any, are also disposed of.

22.03.2024
rekha
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE