



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

108(04 cases)

RSA-5842-2019 (O&M)

Date of Decision.:14.10.2024

Satish Kumar and Others

Appellants

Vs.

Mahender Kumar Jaipuria and Others

Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Munish Gupta, Advocate
(*through Video Conferencing*) and
Mr. Akash Mehta, Advocate
for the appellants.

DEEPAK GUPTA, J. (ORAL)

State of Haryana through Sub-Divisional Officer (Civil) Loharu filed suit against respondent Nos.1 to 13 seeking declaration & permanent injunction to the effect that plaintiff- State of Haryana is the owner of the suit property and that judgment and decree dated 12.11.2005 passed in civil suit No.75 of 2003 titled "Mahender Kumar Jaipuria and Others v. Gram Panchayat, Loharu and Others" regarding property in dispute was null and void and did not create any right, title and interest in favour of any third party. The suit was resisted by the defendants of the case. After taking evidence, suit was dismissed by the trial Court on 10.08.2017. The appeal filed by the plaintiff- State of Haryana was dismissed by the first Appellate Court on 19.04.2018.

The appellants before this Court were not party before the Courts below. They filed the present appeal on the ground that State of Haryana had not preferred any appeal before this Court.

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However today it is informed by learned counsel for the appellants that after filing of the present appeal, State of Haryana had filed appeal before this Court bearing RSA-373-2022 and the same was dismissed by this Court on 14.02.2022. So much so, even the SLP No.24915/2022 filed by State of Haryana before Hon'ble Supreme Court has been dismissed on 03.07.2023.

In the aforesaid facts and circumstances, the present appeal filed by third party, has become infructuous.

Dismissed.

(DEEPAK GUPTA)
JUDGE

October 14, 2024

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No