

130 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-1175-2020(O&M)
Date of decision :16.04.2024

Balbir Singh

...Appellant

Vs.

Tarsem Singh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Parveen Chauhan, Advocate
for the appellant.

ANIL KSHETARPAL, J. (Oral)

1 In this regular second appeal, the plaintiff assails the correctness of concurrent findings of fact arrived at by the Courts below while dismissing his suit for grant of decree of mandatory injunction directing the defendants to remove the obstruction over the common drain. In substance, the plaintiff claims that the defendants have laid tiles in the shape of a ramp, which has resulted in obstruction of flow of water in the drain. The defendants No.1 to 6 while filing the written statement submitted that the suit is as a measure of counter-blast to the previous suit filed by them and no flow of water has been obstructed.

2. Both the Courts below have come to the conclusion that there was no obstruction in the flow of water over the common drain.

3. Learned counsel representing the appellant failed to draw the attention of the Court to any substantive error arising from non-

leading or mis-leading of evidence or any perversity in the judgments.

- 4. Hence, no ground to interfere is made out.
- 5. Dismissed.

16.04.2024			(ANIL KSHETARPAL)
neeraj	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No