



RSA No. 676 of 1998 (O&M) 1

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

**RSA No. 676 of 1998 (O&M)
Date of decision : August 23, 2024**

State of Haryana

..... Appellant

Versus

Azat Ashram Saraswati Mandir and Saraswati Kund

..... Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. R.K.S. Brar, Addl. Advocate General, Haryana.

Mr. Saurabh Arora, Advocate for the respondent.

DEEPAK GUPTA, J (Oral)

1. Mr. Saurabh Arora, Advocate has put in appearance on behalf of the respondent. He has filed his Power of Attorney. The same is taken on record.
2. Suit filed for declaration and permanent injunction by the plaintiff Azat Ashram Saraswati Mandir and Saraswati Kund, Bhil Chhappar, through its Mohtmim, Vishav Chetan, Bhil Chhappar was decreed by the trial court on 09.02.1995. The appeal filed by the defendant-respondent-State of Haryana was dismissed by the Addl. District and Sessions Judge, Jagadhri on 13.10.1997.
3. The only plea raised by the defendant-appellant herein is that the suit was not filed through a duly authorized person.
4. The perusal of impugned judgments would reveal that a specific issue No.1 had been framed as to whether the suit had been filed by a duly authorized person and there is a concurrent finding of fact of the courts below to the effect that the suit has been filed by the duly authorized person.



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5. This court does not find any illegality or impropriety in the concurrent finding of fact as recorded by the courts below. No substantial question of law is found to be involved.
6. Dismissed.

(DEEPAK GUPTA)
JUDGE

August 23, 2024		
archana	Whether speaking/reasoned	Yes
	Whether Reportable :	No