

2024:PHHC:004822

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

RSA-4537-2019 (O&M)
Date of decision: 15.01.2024

Inder Mohan

....Appellant

Versus

Meenu Nagpal

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms.Amandeep Soni, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

1. In this Regular Second Appeal, the defendant assails the correctness of the concurrent findings of fact arrived at by the courts below while decreeing the plaintiff's suit for the grant of decree of permanent injunction restraining the defendant and his agents from constructing/raising any construction on the wall or demolishing the wall. The dispute in the present case is with regard to the existence of a common wall between two separate properties bearing numbers E.K 359 and E.K 360. The defendant has purchased the property from Sh. Sat Parkash vide sale deed dated 27.05.2013. Even in the aforesaid sale deed, there is no recital with regard to the existence of a common wall between the aforesaid properties.

2. Learned counsel representing the appellant, although made sincere attempt, however, failed to draw the attention of the Court to any substantive misreading or non-reading of the evidence.

The learned counsel has also failed to draw the attention of the Court to any perversity in the judgments passed by the courts below.

3. Keeping in view the aforesaid facts, no ground to interfere is made out.
4. Hence, dismissed.
5. All the pending miscellaneous applications, if any, are also disposed of.

15.01.2024
rekha
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE