

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No.3406 of 2018 (O&M)

Date of Order:07.02.2024

Kaushalya Devi

.Appellant

Versus

Santosh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Yowan Sharma, Advocate
for the appellant.****Mr. Omparkash Mahour, Advocate
for respondents no.1 and 2.****ANIL KSHETARPAL, J**

1. In this regular second appeal, the plaintiff assails the correctness of the concurrent findings of fact arrived at by the courts below while dismissing her suit for decree of permanent injunction. The plaintiff claims to be the purchaser of 1 bigha land from Khasra No.82, vide registered sale deed date 03.05.2006, from Smt. Saroj.
2. The defendants while contesting the case submitted that all the parties are co-sharers and the plaintiff has purchased an undivided share in the joint property.
3. Both the courts have concurrently found that the parties are co-sharers and even the plaintiff admits that the defendants are also co-sharers.
4. The learned counsel representing the appellant fairly admits that the plaintiff has been dispossessed.
5. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.
6. Dismissed.

7. The plaintiff, if so advised, may avail alternative remedy of seeking partition of the property.
8. All the pending miscellaneous applications, if any, are also disposed of.

February 07, 2024

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(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned

Whether reportable

:YES/NO

:YES/NO