



RSA-561-2019(O&M)

1

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

RSA-561-2019(O&M)

Date of decision:26.05.2025

Mahant Mahavir Dass

..Appellant

Versus

Ishwar Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunil Chadha, Sr. Advocate with
Ms. Sonia Monga, Advocate for the appellant

ANIL KSHETARPAL, J. (Oral)

1. The plaintiff assails the correctness of the concurrent judgment passed by the courts below while dismissing his suit for the grant of decree of permanent injunction. In fact, the plaintiff initially filed a suit for declaration with consequential relief of permanent injunction. However, on 26.05.2014, the plaintiff made a statement to the effect that he is not pressing the main issue of his ownership and possession and subsequently the matter proceeded only with respect to the relief of injunction. Both the courts have concurrently come to a conclusion that the plaintiff has failed to prove that he is in possession of the suit property. In fact, the plaintiff, while appearing as PW3, has admitted that Ishwar Singh and other defendants have fenced land by wires in a shape of boundary and half of the boundary has been raised by raising the wall. The plaintiff has further feigned ignorance as to



RSA-561-2019(O&M) 2

the electricity tubewell connection having been installed by the defendants as well as the electricity bill deposited by them.

2. Keeping in view the aforesaid facts, no ground to interfere is made out.

3. Hence, dismissed.

4. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

26.05.2025

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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No