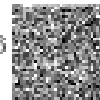


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

125

2025.PHHC:000356



**RSA-1144-2024 (O&M)
Date of decision: 07.01.2025**

IQBAL SINGH

..Appellant

Versus

RAJPAL RAM AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajesh Narang, Advocate
for the appellant.

ANIL KSHETARPAL, J(Oral)

1. The plaintiffs assail the correctness of concurrent findings of fact arrived at by the Courts below while dismissing their suit for grant of decree of permanent injunction. The plaintiffs are resident of village Jore Jand @ Chimnewala, Tehsil and District Fazilka. They claim to be owner of certain property in adjoining village namely Jorki Andhewali. The plaintiffs claim that the defendants be restrained from blocking the public street, which is five 'karam' wide, comprised in Khasra No.79, leading to agricultural land and house of the plaintiffs. Both the Courts have relied upon the deposition of PW-3, a revenue official, who has categorically admitted that no area of villager Jorki Andhewali is adjacent to Khasra No.79, shown in official layout plan (Ex.PW3/A) of village Jore Jand @ Chimnewala.

2. Learned counsel for the appellant while relying upon layout plan (Annexure A-1), which is copy of Ex.P-1, submits that five 'karam' wide passage is coming from 'abadi' of Jore Jand @ Chimnewala to Jorki Andhewali.

3. This Court has considered the submissions of learned counsel for the appellant.
4. Ex.P-1 is a layout plan prepared on the instructions of plaintiffs by a draftsman, who has neither visited the spot nor examined the revenue record. PW-3 is a revenue official, who deposed on the basis of official record. His deposition has been relied upon by the Court. Moreover, the plaintiff is required to stand on his own legs.
5. Hence, no ground to interfere is made out.
6. Dismissed accordingly.
7. All the pending miscellaneous applications, if any, are also disposed of.

January 07th, 2025
Ay

(ANIL KSHETARPAL)
JUDGE

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