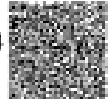


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

212

2025:PHHC:022404



**RSA-2830-2013 (O&M)
Date of decision: 17.02.2025**

BALDEV SINGH

..Appellant

Versus

SARUP SINGH AND ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Bhavyadeep Walia, Advocate
for the appellant.

Mr. Bhag Singh, Advocate
for respondent No.1.

ANIL KSHETARPAL, J(Oral)

1. Learned counsel for the appellant has informed the Court with respect to death of the appellant, however, as per the amended Code of Civil Procedure, 1908, once the appellant is represented by a counsel, the Court will proceed to decide the case.

2. This appeal has been filed challenging the correctness of the concurrent findings of fact arrived at by the Courts below while dismissing plaintiffs suit for grant of permanent injunction restraining the defendants from encroaching upon a '*katcha*' path. Both the Courts have found that the alleged '*katcha*' path/street is neither reflected in the revenue record nor there is any other official record with regard to the existence of the passage.

3. The plaintiff's house abuts the road, hence, the plaintiff does have the passage.

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

- 5. Dismissed accordingly.
- 6. All the pending miscellaneous applications, if any, are also disposed of.

February 17th, 2025
Ay

(ANIL KSHETARPAL)
JUDGE

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