



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

**Date of decision : 11.03.2025**

1. **RSA-141-2020 (O&M)**  
**Ajit Singh and others** **...Appellants**  
**Vs.**  
**Bhajan Kaur and others** **...Respondents**
2. **RSA-203-2020 (O&M)**  
**Ajit Singh and others** **...Appellants**  
**Vs.**  
**Bhajan Kaur and others** **...Respondents**

**CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. R.S. Sidhu, Advocate  
for the appellants.

Mr. Abhishek, Advocate for  
Mr. Bhavesh Aggarwal, Advocate  
for the respondents.

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**ANIL KSHETARPAL, J. (Oral)**

1. With the consent of learned counsel representing the parties, these two connected appeals shall stand disposed of by a common order.
2. The plaintiff filed a suit for grant of decree of permanent injunction restraining the defendant from carving out passage through joint land measuring 03 kanals 16 marlas comprised in rectangle No. 72 khasra No. 11. The defendants filed counter-claim claiming that wall of 17 feet has already been constructed and a passage is already in existence.



3. Both the Courts have recorded firm finding of fact that the passage is in existence and wall having height of 17 feet has already been constructed.
4. Learned counsel representing the appellant submits that there are four co-owners in the land measuring 03 kanals 16 marlas and because of this passage the area of appellant No.2-Sh.Buta Singh has been reduced.
5. This Court has considered the submission made by the learned counsel representing the parties.
6. It is the appellant's case that the property is a undivided property of four co-owners. Hence, the remedy for the appellant is to seek partition of the joint property.
7. Keeping in view the aforesaid facts, no ground to interfere is made out.
8. Hence, the appeal is dismissed.
9. All the pending miscellaneous applications, if any, are also disposed of.

11.03.2025  
neeraj

(ANIL KSHETARPAL)  
JUDGE

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |