



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

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**RSA-728-2017 (O&M)
Date of decision : 20.01.2026**

Inder Singh

..... Appellant

versus

Harjinder Singh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Piyush Aggarwal, Advocate
for the appellant.

Mr. B.S. Jaswal, Advocate
for the respondents.

PANKAJ JAIN, J. (Oral)

1. Plaintiff is in second appeal.
2. Plaintiff filed suit seeking decree of permanent injunction restraining defendants from interfering in his peaceful possession over the suit property comprising of a residential house measuring 03 marlas bounded as per the boundaries mentioned in the headnote of the plaint (hereinafter referred to suit property).
3. Plaintiff claimed to have purchased the suit property from one Sadha Singh in the year 1972 for a valuable consideration of Rs.1,500/-.
4. After analysing the evidence threadbare, the Courts below came to the conclusion that the suit property was in fact purchased by Sadha Singh, i.e. father of the plaintiff and grand father of defendants No.1 and 2. After death of father, plaintiff Inder Singh inherited 2.5



marlas and his brother Mehar Singh inherited the other 2.5 marlas of land. Even though, the Courts came to the conclusion that the plaintiff is in possession of 2.5 marlas, yet dismissed the suit in toto holding that the plaintiff has not approached the Court with clean hands, as he claimed exclusive possession over 03 marlas of land.

4. In the considered opinion of this Court, in a simplicitor suit for injunction, once the plaintiff proved his possession over 2.5 marlas and the Court also came to the conclusion that the plaintiff inherited 2.5 marlas from his father alongwith his brother, who inherited the other 2.5 marlas, the Court ought to have decreed the suit qua 2.5 marlas at least.

5. The matter relates to dwelling house, this Court thus deems it appropriate to grant injunction in favour of the plaintiff qua his share of 2.5 marlas of land. Till the time the property is partitioned by metes and bounds, the plaintiff shall not be dispossessed.

6. Disposed off, accordingly.

7. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

20.01.2026
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No