



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

226

RSA-5473-2017 (O&M)
Date of Decision: 18.02.2026

Punjab Wakf Board

...Appellant

V/s

Darbara Singh and another

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Ghulam Nabi Malik, Advocate, for the appellant.

Mr. S.K. Arora, Advocate, for the respondents.

VIKRAM AGGARWAL, J (ORAL)

This is plaintiffs' appeal against the concurrent findings recorded by both Courts, vide which the suit for possession instituted by the plaintiff was dismissed.

2. Learned counsel for the appellant points out that when the matter was pending before the trial Court, defendant No.1 (Darbara Singh) had caused appearance on 07.10.2013 and had given a statement that he along with defendant No.2 (Gurpreet Singh) had got no concern or connection with the suit property (land measuring 2 kanals situated in Khasra No.15 min in Village Meera Shah Noor, District Ferozepur) and they were not in possession of the said khasra number and further that they did not want to contest the suit. Subsequently, no one appeared on behalf of the defendants as a result of which, they were proceeded against *ex parte* vide order dated 13.11.2013.

3. Despite the said stand, the suit of the appellant was dismissed on the ground that the persons shown to be in possession of the suit property in the revenue record had not been arrayed as parties. The same findings were returned by the first appellate Court despite the same stand having been taken

by the defendants there as well.

4. Today, during the course of hearing, learned counsel for the appellant has submitted that the statement had been given only by defendant No.1 for himself and on behalf of defendant No.2 and that in case, even now a statement is given by learned counsel representing defendants No.1 and 2 that they have no concern with the suit property, the appellant would not press the instant appeal.

5. Learned counsel for the respondents (defendants No.1 and 2) duly states that the respondents have no concern with the suit property as they are not in possession thereof.

6. That being so, learned counsel for the appellant submits that he may be permitted to withdraw the instant appeal and the appellant shall avail all other remedies as shall be admissible in law.

7. Dismissed as having been withdrawn.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

February 18, 2026

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No