



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

**RSA-720-2022 (O&M)
Date of Decision: 07.07.2025**

Amandeep Singh

...Appellant

VERSUS

Rajwant Kaur and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr.V.K. Sandhir, Advocate
for the appellant.

HARKESH MANUJA, J. (ORAL)

By way of present appeal, challenge has been laid to the judgment and decree dated 11.10.2021 passed by learned Additional District Judge, Amritsar, whereby the suit for permanent injunction filed at the instance of appellant/ plaintiff stands dismissed while reversing the judgment and decree dated 22.08.2017 passed by learned Trial Court.

2. Claiming himself to be co-owner and in joint possession with the respondents/ defendants of the suit property, the appellant along with one another filed suit for permanent injunction with a prayer for restraining the respondents/ defendants from raising construction over the property in question.



3. The factum of property being joint between the parties was not disputed by the respondents/ defendants, however, it was submitted that the construction raised by them, if any, shall be subject to partition.

4. Learned Trial Court vide judgment and decree dated 22.08.2017 decreed the suit filed at the instance of plaintiffs, however, in an appeal preferred by respondents/defendants before learned Additional District Judge, Amritsar, the judgment and decree passed by the trial Court was set aside vide decision dated 11.10.2021, thereby resulting into dismissal of the suit.

5. Aggrieved thereof, the present Regular Second Appeal has been preferred by one the plaintiffs i.e. Amandeep Singh.

6. Notice of motion.

7. On asking of the Court, Mr. Prateek Sodhi, Advocate, who is present in Court, accepts notice on behalf of the respondents.

8. I have heard learned counsel for the parties and gone through the paper book.

9. Learned counsel for the parties are *ad idem* that the property in question is joint between the parties and the construction, if any, raised by either side shall be subject to the outcome of the partition proceedings.

10. In view of the agreed stand taken by both sides, the present appeal is disposed of as such.

RSA-720-2022 (O&M) [3]

2025-PHHC-080390



11. All pending application(s), if any, shall also stand disposed of.

07.07.2025
sanjay

**(HARKESH MANUJA)
JUDGE**

Whether speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No