



RSA-76-2014(O&M) 1

**212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****1.RSA-76-2014(O&M)**

Hawa Singh and others

..Appellants

Versus

Ragbir @ Randhir Singh (deceased) through LRs and others

..Respondents

2.COCP-2069-2020(O&M)

Hawa Singh and others

..Petitioners

Versus

Rohtash and others

..Respondents

Date of decision:13.05.2025**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**Present: Mr. Harsh Kinra, Advocate
Mr. N.C.Kinra, Advocate for the appellants

Mr. M.S.Rana, Advocate for respondent no.1 to 4

Mr. Sanjeev Majra, Advocate for
respondent no.5 in RSA-76-2014 and
for respondent no.6 in COCP-2069-2020

Mr. Dinesh Arora, Advocate for respondent no.6

Mr. Anil Chawla, Advocate for respondent no.7

ANIL KSHETARPAL, J. (Oral)

1. With the consent of the learned counsel representing the parties, RSA-76-2014 and COCP-2069-2020 shall stand disposed of.

2. The plaintiffs assail the correctness of the concurrent findings of fact arrived at by the courts below while dismissing their suit for permanent injunction and mandatory injunction. The



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plaintiffs are claiming to be the co-sharers in the joint un-partitioned land. They apprehend that the private defendants would carve out a colony and dispose of the property without getting license from either the Municipal Corporation or the District Town Planner, Haryana.

3. The private respondents filed a written statement claiming that they are not carving out any colony during the pendency of the proceedings. Now the property is located within the municipal limits and as of now, the colony has not been carved out. The appellants have already sought partition of the joint property by filing a suit, which is stated to be pending. The appellants have also filed the proceedings for initiation of the contempt proceedings by annexing certain photographs where certain bricks are lying.

4. Keeping in view the stand of the private defendants, both the courts have dismissed the plaintiffs' suit. Moreover, the plaintiffs are co-sharers.

5. In view the aforesaid position, it would not be appropriate to keep the proceedings pending.

6. Hence, both RSA-76-2014 and COCP-2069-2020 shall stand disposed of.

7. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

13.05.2025

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No