

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

2025:PHHC:057035



CR-2557-2023

Date of decision: 01.05.2025

RAM PAL

..Petitioner

Versus

RAJU AND OTHERS

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Kumar Goyal, Advocate for the petitioner.

Mr. Ketan Antil, Advocate for respondent No.1 to 3.

ANIL KSHETARPAL, J(Oral)

The petitioner herein is defendant No.5 in a plaintiffs' suit for grant of decree of declaration with consequential relief of mandatory and permanent injunction. The application filed under Order XXXIX rule 1 and 2 of the Code of Civil Procedure, 1908, for grant of temporary injunction restraining the defendants from interfering in the plaintiffs' possession has been allowed by both the Courts below. It has been found that father of defendant No.1 to 4 executed affidavit dated 07.09.2012 acknowledging the possession of plaintiffs' father. Moreover, on 05.03.2006, father of defendant No.5 also entered into a settlement, which proves that plaintiffs' father was in possession. The defendant No.5 (petitioner herein) claims to be purchaser of the property by virtue of two sale deeds dated 15.09.2021. There is no material to show that the plaintiff was ever dispossessed.

Hence, the injunction order passed by the Courts below requires no interference.

Dismissed.

May 01st, 2025(ANIL KSHETARPAL)
JUDGE

Ayub

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No