



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

217-I

**Regular Second Appeal No.1368 of 2001 (O & M)  
Date of decision :-07.08.2025**

**Jasprit Kaur and another****.....Appellants****Versus****Sandeep Singh and others****.....Respondents**

217-II

**Civil Writ Petition No.10095 of 2016 (O & M)**

**Prabhkirat Singh and another****.....Petitioners****Versus****Jagtar Singh and others****.....Respondents**

**CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Pawan Kumar, Sr. Advocate with  
Ms. Vidushi Kumar, Advocate  
Mr. Bhuvnesh, Advocate and  
Mrs. Seema, Rani, Advocate  
for the petitioners (in CR-10095-2016) and  
for respondent No.2 (in RSA-1368-2001).

Mr. Manmeet Singh Teji, AAG Punjab.

None for the appellants (in RSA-1368-2001).

Service upon respondents No.3 to 10 dispensed with  
(vide order dated 20.08.2001 in RSA-1368-2001).

**NIDHI GUPTA J. (Oral)**

Since both the aforementioned matters are interconnected, therefore, vide this common order both of the matters are being disposed of.

The present regular second appeal being of the year 2001, on the last date of hearing i.e. 08.4.2025 fresh notices were issued to the appellants and respondent No.1 (in RSA-1368-2001). The office report has been received, as per which, the said appellants remain unserved as the complete particulars of the address were not available despite the fact that the Registry was directed to effect service upon the appellants through the SHO concerned. The appellants/plaintiffs before this Court are the LR's of the original plaintiff No.2, against the concurrent judgments and decrees of the learned Courts below whereby the civil suit of the plaintiffs for permanent injunction was dismissed by both the Courts below.

It is submitted by learned Senior Counsel for respondent No.2 (in RSA-1368-2001) and petitioners in the connected Civil Writ Petition No.10095-2016 that previously the original plaintiff No.1 Jagroop Singh had filed the Civil Suit No.20 dated 14.1.1981 (Annexure P-1 with the writ petition) against the predecessor-in-interest/father of the present respondent/defendants seeking possession of the present suit land. In the said suit, consent decree dated 31.3.1984 was passed as the matter stood compromised between Jagroop Singh and the present defendants. It is submitted that accordingly the present Civil Suit No.677 of 10.5.1991 filed by the plaintiff Jagroop Singh and Harpal Singh for permanent injunction



was dismissed by the learned trial Court keeping in view the fact that the plaintiff could not raise the same cause of action in a fresh suit and in view of the previous decree dated 31.3.1984 Ex.D-21. The learned Lower Appellate Court upheld the said judgment and decree dated 30.8.1997 of the learned trial Court. Hence, the present regular second appeal.

Learned Senior Counsel accordingly submits that there is no merit in the present case as the same is not maintainable by virtue of civil court decree dated 31.3.1984 (Ex.D-21). Learned Senior Counsel, on instructions, further submits that however the suit land has now changed hands many times over with the passage of time.

Heard.

Keeping in view the above said facts the present appeal and the writ petition stand disposed of in terms of the decree dated 31.3.1984.

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

Photocopy of this order be placed in the file(s) of connected matter(s).

August 07, 2025

Vijay Asija

**( NIDHI GUPTA )  
JUDGE**

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No