

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

114

2025:PHHC:037353



**RSA-5410-2018 (O&M)
Date of decision: 19.03.2025**

SHASHI BALA

..Appellant

Versus

MAUJI RAM (DECEASED) THROUGH LR & ORS. ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jai Bhagwan, Advocate
Mr. Sandeep K. Rana, Advocate
for the appellant.

Mr. Sahil Chowdhary, Advocate
for Mr. Shiv Kumar, Advocate
for respondent No.1(i to iv), 2(i, ii) 3 and 5 to 8.

ANIL KSHETARPAL, J(Oral)

1. The plaintiff assails the correctness of concurrent findings of fact arrived at by the Courts below while dismissing his suit for grant of decree for permanent injunction restraining the defendants from causing hindrance/obstruction or encroaching upon the passage. The plaintiff is a purchaser of 1 kanal and 12 marla plot by virtue of sale deed dated 21.05.2004. He claims passage on the Southern side of his plot. It was reported by the local commissioner, who was appointed by the Court that there is a passage abutting plaintiff's plot towards Eastern side and not on Southern side. Thus, both the Courts dismissed the suit.

2. Learned counsel for the appellant submits that his possession over the property is not disputed. He submits that passage to village Fajjupur will go through Southern side and not from Eastern side.

3. This Court has considered the submissions of learned counsel for the appellant.



4. Admittedly, the passage being claimed by the plaintiff is not reflected in the revenue record. Moreover, plaintiff does not dispute existence of passage towards Eastern side of his plot.

5. Hence, no ground to interfere is made out.

6. Dismissed accordingly.

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

March 19th, 2025

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*