



236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-42-2018 (O&M)

Date of decision : 21.03.2025

Punni and others

...Appellants

Vs.

Om Parkash

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Surinder Singh Virk, Advocate
for the appellants.

Mr. Suryakant Gautam, Advocate
for the respondent.

ANIL KSHETARPAL, J. (Oral)

1. The plaintiff assails the correctness of concurrent findings of fact arrived at by the Courts below while dismissing their suit for grant of decree of possession with respect 10 marlas land.

2. Admittedly, late Sh. Ram Kishan, predecessor-in-interest of the plaintiffs, sold 10 marlas of land vide sale deed dated 29.03.1994, in favour of defendant Sh. Om Parkash. The property was identified by the properties of various owners on all the four directions. The details of the property are as under:-

North : *Land owned by Ram Kishan*

South : *Metalled road*

East : *Land of Krishan*

West : *Graveyard*



3. Learned counsel representing the appellants submits that the defendant has purchased 15 marlas land comprised in Khasra No. 21/1, whereas, 05 marlas out of land comprised in 21/2/2 and these are two separate parcels of land.

4. He further submits that counter-claim was filed by the defendant, which has also been dismissed but he did not file first appeal.

5. This Court has considered the submissions made by the learned counsel representing the parties.

6. Once the property has been identified by its boundaries, reference to khasra numbers pales into insignificance. The question is with respect to the identification of the suit property. Admittedly, the sale deed was executed by late Sh. Ram Kishan in favour of Sh. Om Parkash. It was identified by its location and properties on all the four directions. Hence, the plaintiffs cannot claim relief of possession against the defendant who is not proved to be in possession of excess land except 20 marlas, which was sold to him.

7. Keeping in view the aforesaid facts, no ground to interfere is made out.

8. Hence, the appeal is dismissed.

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

21.03.2025

neeraj

(ANIL KSHETARPAL)
JUDGE

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| Whether speaking/reasoned : | Yes | No |
| Whether Reportable : | Yes | No |