

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

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2025:PHHC:038681



**ESA-5-2019 (O&M)
Date of decision: 21.03.2025**

SANSAR SINGH

..Appellant

Versus

JODH SINGH AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amardeep Singh Gill, Advocate
for the appellant.

Mr. R.S. Chauhan, Advocate
for respondent No.1, 2 and 4.

Mr. Rohit Sapehiya, Advocatye
for respondent No.3.

ANIL KSHETARPAL, J(Oral)

1. The appellant herein filed a suit for grant of decree of permanent injunction claiming passage over 8 marla land comprised in Rectangle No.26, Khasra No.5, which was decreed. He filed an application under Order XXI Rule 32 of the Code of Civil Procedure, 1908, to execute the decree complaining that the judgment debtor has sold the disputed property vide sale deed dated 29.05.2014.

2. Learned counsel for the appellant admits that total area of Khasra No.5 is 8 kanals (equivalent to 4840 sq. yards). The injunction was granted qua an area measuring 9 marlas (equivalent to 242 sq. yards).

3. The defendant has sold 2/ 1/60th share in the land comprised in Rectangle No.26, Khasra No.5, which comes to 60.5 sq. yards. The appellant while appearing in evidence admits that the property, which has been sold is different from the suit property.

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



5. Dismissed accordingly.

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

March 21st, 2025

Ayub

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*