



IN THE HIGH OF PUNJAB AND HARYANA AT CHANDIGARH

Date of Decision : October 15, 2025

(i) **RSA No.585 of 2002 (O&M)**
Kartar Singh (Deceased) through LRs and another Appellants
Vs.
Labh Singh and another Respondents

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(ii) **COCP No.658 of 2003 (O&M)**
Kartar Singh (Deceased) through LRs and another Petitioners
Vs.
Labh Singh and another Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Yagsimant Attri, Advocate for the appellants/petitioner.
 Ms. Sumati Jund, Advocate for respondent No.1.

DEEPAK GUPTA, J.

RSA-585-2002 (O&M)

It is plaintiffs' appeal against the concurrent findings of the Courts below, inasmuch as suit for permanent injunction filed by them against defendants – Labh Singh and another (*respondents herein*) was dismissed by the trial Court on 20.01.1997 and the appeal filed by them was dismissed by the First Appellate Court on 21.11.2001, thus affirming the findings of the trial Court.

2. According to plaintiffs, they are co-owners in possession of the suit land. Alleging interference on the part of the defendants, they sought a decree of permanent injunction. Defendants claimed to be co-sharers on the basis that they had purchased share of Geja Singh, who was a joint owner/co-sharer along with the plaintiffs. After appraisal of evidence on record, the trial Court dismissed the suit by holding that both the parties are co-owners

in possession of the suit land as was also reflected in the revenue record. The First Appellate Court affirmed these findings.

3. Assailing the concurrent findings of both the Courts below, learned counsel for the appellants-plaintiffs contends that the sale deeds as relied upon by the defendants, were not produced.

4. A perusal of the judgment passed by the First Appellate Court would reveal that though the defendant-respondents have placed on record the copies of the sale deeds only, but at the same time, the sale in favour of the defendants was duly reflected in the revenue record in the subsequent jamabandi and khasra girdawri, which showed both the parties to be joint owner in possession.

5. In the aforesaid facts and circumstances, when defendants-respondents are already shown to be co-owners based upon the sale in their favour, it is insignificant in case original sale deeds were not produced.

6. Consequently, this Court does not find any ground to interfere in the concurrent findings of facts recorded by the Courts below on the basis of proper appreciation of evidence on record. As such, finding no illegality or perversity in the same, the present appeal is hereby dismissed.

COCP-658-2003

Since the main appeal as preferred by the appellants/petitioners has been dismissed, therefore, the instant COCP, which arose out of the said appeal, is also dismissed, being not pressed for.

Photocopy of this order be placed on the connected case file.

October 15, 2025

Sarita

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No