

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

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2025:PHHC:002854



**RSA-1306-2015 (O&M)
Date of decision: 13.01.2025**

CHAJJU RAM (DECEASED) THROUGH LRS. ..Appellants

Versus

RAM DITTA @ RAMA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.S. Chauhan, Advocate
for the appellants.

Mr. Vishal Munjal, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

1. The correctness of concurrent findings of fact arrived at by the Courts below is challenged by the plaintiffs in this regular second appeal. The plaintiffs claim encroachment of land comprised in Rectangle No.3, Khasra No.66/1 by the defendants. The plaintiffs admit that they have sold some part of the property to the defendants comprised in Rectangle No.3, Khasra No.17/1 and 18/1 vide registered sale deed dated 12.11.1973, which was amended on 08.12.1973. It has come on record that entire land is a joint khewat comprised in Khewat No.702. The defendants have purchased plot from the plaintiffs, which is an undivided share, hence, they have become co-sharers with the plaintiffs.

2. Hence, the Courts have correctly held that the remedy available to the plaintiffs is to seek partition.

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

4. Dismissed accordingly.



5. The plaintiffs shall have liberty to seek partition.
6. All the pending miscellaneous applications, if any, are also disposed of.

January 13th, 2025

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**(ANIL KSHETARPAL)
JUDGE**

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