



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

108

RSA-457-2018

Date of Decision: 25.03.2025

TEJPAL SINGH AND ORS

.....Appellants

Vs.

RAJWINDER KAUR AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Ms. Anamika Sheoran, Advocate for
Mr. Vikas Singh, Advocate
for the appellants.

DEEPAK GUPTA, J. (ORAL)

Suit for permanent injunction filed by the plaintiffs-Tejpal Singh and others (*appellants herein*) was decreed by the trial Court on 05.11.2016 by restraining the defendants (*respondents herein*) from occupying or cultivating the suit property to the extent of more than their share and also to restrain them from occupying any specific portion of the suit property to the exclusion of the plaintiffs. The appeal filed by the defendants was allowed by the First Appellate Court vide judgment dated 20.03.2017 by holding that as both the parties are co-sharers in joint possession of the suit property, so one of the co-sharer cannot seek injunction against the other.

Against the aforesaid reversal, plaintiffs have approached this Court.

I have heard learned counsel for the appellants at length.



It is conceded by learned counsel that parties are co-sharers in joint possession of the suit property and that none of party is in exclusive possession of any portion of the suit property .

In the aforesaid facts and circumstances, no illegality or perversity has been committed by the First Appellate Court in dismissing the suit for permanent injunction, as injunction cannot be granted in favour of one co-sharer against the other.

No merits. Dismissed.

25.03.2025
pry

(DEEPAK GUPTA)
JUDGE

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