

S.A. No. 71 of 2008
With
Stay App. 6533 of 2008

Hon. Prafulla C. Pant, J.

Mr. U.P.S. Negi, Advocate for the defendant / appellant.

Heard learned counsel for the defendant / appellant and perused the impugned judgment and decree dated 06.09.2008, passed by the Lower Appellate Court (first appellate court) / District Judge, Pauri Garhwal, in Civil Appeal No. 12 of 1995.

I have also perused the decree passed by the trial court (Civil Judge (J.D.), Kotdwar) in Suit No. 46 of 1993.

There is concurrent finding of fact holding that the defendant (present appellant) is trespasser and liable to be evicted from the property in suit. This Court does not find any substantial question of law involved in the second appeal.

Therefore, the appeal is summarily dismissed.

(Stay Application No. 6533 of 2008 also stands dismissed).

(P.C. P., J.)
30.09.2008

HN