

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

CR No. 4257 of 2013 (O&M)
Date of decision: March 26, 2015

Ravi Kumar @ Ravinder Kumar and others

...Petitioners

Versus

Charan Singh and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

1. **Whether Reporters of local papers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest?**

Present: Mr. Kulbhushan Sharma, Advocate,
for the petitioner.

None for the respondents.

K. KANNAN, J. (Oral)

1. The respondents have been served, but none appears on their behalf.
2. The suit is for declaration that the mutation ordered in the year 1920-21 was illegal and null and void. The plaintiffs would claim the property as legal heirs of Girdhar. There is a sale deed which the plaintiffs want to avoid and that is referred to in para 12 of the sale deed dated 14.6.1921 said to have been executed by Girdhar and it is now contended that it is forged and fabricated document. On the face of it, the claim is barred by limitation. The plaintiffs cannot conceal the real purpose of what they were claiming for. There is specific declaration that the plaintiffs seek that the dated 14.6.2021 must be declared to be forged and fabricated. If they are contending that they have got title to the property as persons

claiming as heirs through Girdhar then they cannot assail the sale deed executed by Girdhar in the year 1921 by a suit filed in the year 2011 and get a declaration to that effect. The plaintiffs conceal what the true purpose of the case is and it is filed without disclosing adequate cause of action as to how such suit is competent now. The application for rejection of the plaint was surely sustainable and the court has not properly elicited from the plaintiffs as to how the suit is within time.

3. The relief sought for setting aside the revenue entries in the year 1920-1921 for the sale effected nearly a century back cannot be brought through fanciful suit. The order passed by the court below is set aside and the plaint is ordered to be rejected.

4. The revision petition is allowed on the above terms.

March 26, 2015
prem

(K.KANNAN)
JUDGE