

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

RSA No. 2131 of 2011 (O&M)

Date of decision : 7.9.2015

Nihal Chand and others

... Appellants

versus

Anil Kumar and others

... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Rajender Singh Malik, Advocate, for the appellants.

Rajesh Bindal, J.

The plaintiffs are before this Court against concurrent findings of fact recorded by both the Courts below whereby the suit filed by them for declaration that gift deed dated 2.4.1970 executed by them in the name of Dharmath Dispensary be declared illegal and be set aside as the purpose for which the land was gifted is not being carried on by the donee of the gift. He having expired, his LRs are, in fact, misusing or trying to dispose of the property for undue gains.

Both the Courts below did not find any merit in the pleas raised by the appellants/plaintiffs. It could not be disputed that in the gift deed, there is no recital that in case the donee fails to carry on the object for which the land is gifted, the same will revert back to the doner. Such a condition being not there, in my opinion, no illegality has been committed by the Courts below in dismissing the suit filed by the appellants. No substantial question of law arises.

Accordingly, the appeal is dismissed.

7.9.2015
vs

(Rajesh Bindal)
Judge