

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Regular Second Appeal No. 170 of 2012 (O&M)
Date of decision: 3.8.2015

Harinder Singh

.. Appellant

v.

Tejinder Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Bhuwan Luthra, Advocate for the appellant.

...

Rajesh Bindal J.

The plaintiff having failed in both the courts below has filed the present appeal, whereby the suit filed by him seeking separate possession of 2/9th share, i.e., land measuring 6,865 square feet and further challenging the sale deeds dated 24.8.1992, 23.1.2001, 13.2.2001 and 29.8.2007, was dismissed.

It was claimed that the suit property was ancestral in the hand of father of the appellant, namely, Mohinder Singh and the same was sold by him without any legal necessity. Both the courts below found that the appellant had not been able to lead any evidence showing that the property was ancestral in hand of Mohinder Singh, which could confer any right on the appellant to claim share in that. There was no other evidence led by the appellant to show that he is owner to the extent of 2/9th share in the property in dispute. The agreement and exchange-deed produced by him were old and were admittedly not acted upon.

With the aforesaid material on record, in my opinion, no illegality has been committed by the courts below in dismissing the suit

filed by the appellant. No substantial question of law arises in the present appeal. Accordingly, the same is dismissed. Consequently, the accompanying applications are also dismissed.

(Rajesh Bindal)
Judge

3.8.2015
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