

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

**103**

**RSA No. 2018 of 2012 (O&M)**

**Date of decision: 14.08.2015**

**Suba Singh**

**...APPELLANT**

**VS.**

**Paramjit Singh and others and others**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

**Present: Mr. G.S.Nagra, Advocate  
for the appellant.**

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**AUGUSTINE GEORGE MASIH, J. (ORAL)**

In the present appeal, the appellant-plaintiff filed a suit for declaration to the effect that he along with respondents-defendants No. 9 and 10 are the owners of the land measuring 40 Kanals being 1/5<sup>th</sup> share of land measuring 200 Kanal 1 Marla. The details of the land are mentioned in the heading of the suit. The suit was partly decreed by the trial Court to the extent that the appellant-plaintiff along with respondents-defendants No. 9 and 10 were owners to the extent of 29 Kanals 1 Marla, 36 Kanals 12 Marla and 36 Kanal 14 Marla respectively as per jamabandi for the year 1994-95 Ex. DX1 but the appellant-plaintiff and respondents-defendants No. 9 and 10 had no right qua the property of the respondents-defendants No. 1, 7 and 8 and the remaining relief was declined. An appeal was preferred against the said judgment and decree dated 19.11.2008 passed by the Civil Judge,

Junior Division, Nakodar. This appeal was dismissed by the Additional District Judge, Jalandhar vide decision dated 23.11.2011. The present appeal has been filed challenging the judgments and decrees below.

It is the contention of the counsel for the appellant that the Courts below have not appreciated the evidence, as has been led by the appellant-plaintiff, which has led to miscarriage of justice and, therefore, the impugned judgments and decrees deserve to be set aside.

I have considered the submissions made by the counsel for the appellant and with his assistance, have gone through the records of the case but am afraid that the contentions, as raised by the counsel for the appellant-plaintiff, cannot be accepted as the Courts below have rightly appreciated the evidence of the plaintiff-appellant as also the defendants-respondents. There being no error in the judgments and decrees under challenge, no interference in the present appeal is called for, more so when no substantial question of law arises in the present appeal.

The present appeal, therefore, stands dismissed.

**August 14, 2015**  
pj

**(AUGUSTINE GEORGE MASIH)**  
**JUDGE**