

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.5084 of 2011 (O&M)
Date of Decision.18.09.2015

Mrs. Rajinder Kaur Gill and others

.....Appellants

Versus

Balwant Singh and others

.....Respondents

Present: Mr. Jai Bhagwan, Advocate
for the appellants.

Mr. M.L. Saggar, Senior Advocate with
Mr. Gaurav Grover, Advocate
for the caveators-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?

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K. KANNAN J. (ORAL)

1. The oral claim to release by the predecessor of the plaintiff alleged to have been made by the predecessor of the defendants was declined to be accepted by the two Courts below. The argument of the counsel appearing on behalf of the plaintiff who lost in both the Courts is that if there was a family settlement under the terms of which, one sister was receiving cash and was giving up right in the property that must be respected. There can be no family settlement outside the realm of law of what the Transfer of Property Act states and how the Registration Act contemplates a transfer of interest to take place through registered instrument under Section 17 of the Registration Act. An oral relinquishment pleaded amongst co-heirs of the property claiming through common ancestor Shiv Singh was unacceptable and

rightly rejected.

2. There is no merit in the second appeal. The second appeal is dismissed as involving no substantial question of law for consideration.

(K. KANNAN)
JUDGE

September 18, 2015
Pankaj*