

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

RSA No.3197 of 2013 (O&M)

Date of decision: 17.08.2015

Mrs.Naseem Akhtar Khan and another

..... Appellants

versus

Wahida and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: None for the appellants

Mr.Amit Bhanot, Advocate for the respondents

1. Whether Reporters of Local Newspapers 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?

Kuldip Singh, J. (Oral)

Challenged in the impugned Regular Second Appeal is the judgment dated 24.12.2012 passed by the learned Additional District Judge, Rupnagar affirming the judgment and decree dated 21.3.2002, passed by the learned Civil Judge, Junior Division, Rupnagar, vide which the suit of the plaintiffs for possession of ½ share of the disputed house was decreed partly.

Perusal of both the judgments shows that in this case, the dispute was between legal heirs of Babu Khan. There are four legal heirs of Babu Khan. Two of them claimed separate possession by way of ½ share. The learned Civil Judge, Junior Division, Rupnagar ordered that the defendant No.1 is entitled to 1/8th share and out of the suit property and out of the remaining 7/8th share, double of the

share will go to plaintiff No.2 and defendant No.2 being males/ sons and rest the share will go to the plaintiff No.1 being female/ daughter. The question of facts was involved in the suit and it has been determined by both the Courts below. No question of law much less substantial question of law arises. Hence, the appeal as well as application for condonation of delay are dismissed.

17.08.2015
gk

(Kuldip Singh)
Judge