

In the High Court of Punjab and Haryana at Chandigarh

RSA No.4314 of 2013(O&M)

Date of Order: October 09, 2015

Niranjan Dass

..... Appellant

Versus

Ramji Dass and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

**Present:- Mr. Maharaj Kumar Advocate,
counsel for the appellant.**

**Ms. G.K. Turka, Advocate,
for respondent no.1.**

Surinder Gupta, J

Heard.

This is the second appeal against the judgment of the courts below decreeing the suit filed by Ramji Dass and Hardeep Kaur plaintiffs, declaring them to be joint owner of the property comprised in Khasra No.451 (2-14) and also passing a preliminary decree for partition of 1/8th share each of the plaintiffs in the suit land.

The ownership of the suit property is not disputed. Appellant-Niranjas Dass, who is defendant no.1 in the suit, came up relying on two settlements i.e. writing dated 12.10.1982 (Ex.D2) and 13.3.1986 (Ex.D3) and claimed that after the family settlement vide these two documents, the plaintiffs are left with no right, title or interest in the suit property.

Both the courts below have recorded a categorical finding that

the above two writings were not proved on record.

Learned counsel for the appellant after arguing at length has not been able to point out any document, produced on record by the appellant, to prove that the plaintiffs were not having 1/8th share each in the suit property or that alleged two writings produced by the appellant, were proved on record.

In view of the above, this appeal has no merit. No substantial question of law arises calling for any interference in the judgment of court below.

Dismissed.

October 09, 2015
Sachin M/jv

(SURINDER GUPTA)
JUDGE