

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

RSA No.2767 of 2015 (O&M)

Date of Decision.18.12.2015

Randhir Singh

.....Appellant

Vs.

Jeet Singh (not traceable) through aggrieved/interested persons being
wife and children

.....Respondents

Present: Mr. Vinod Bhardwaj, Advocate
for the appellant.

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 defendant father who resisted an action brought by his son challenging the release obtained by him on the ground hat it was ancestral was successful at the trial Court in fending off the action but lost out at the appellate court. The plaintiff's contention was that the release in respect of ancestral property cannot bind him and not valid. The issue, therefore, was whether the property was ancestral or not. The trial Court dismissed the suit but the Appellate Court reversed the decision finding that the father himself had admitted the ancestral character of property. Even the document of release referred to the property as ancestral. Documents filed at the Appellate Court as additional evidence under Order 41 Rule 27 CPC showed revenue entries commencing from the year 1962-63 that the property was shown as ancestral and that the plaintiff had gone missing at that time and he was not referred to there. The Court, therefore, observed that the

there was sufficient evidence to uphold the contention of the plaintiff that it was ancestral property and reversed the decision.

2. I will find no error in the judgment for intervention in the second appeal. The second appeal is dismissed.

(K. KANNAN)
JUDGE

December 18, 2015
Pankaj*