

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

**Regular Second Appeal No.1458 of 2014 (O&M)
Date of Decision: November 26 , 2015.**

Smt. Lado and another

.....APPELLANT(s).

VERSUS

Ajit Singh and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. J.P. Sharma, Advocate
for the appellant (s).

SURINDER GUPTA, J.

CM No.3497-C-2014

Heard. There is delay of 35 days in refiling the appeal.

2. Learned counsel for the appellants submits that the delay occurred in removing the objections raised by the Registry as he sought some clarification from the appellants, but could not contact them within time. Delay was not intentional and has not caused any benefit to the appellants.

3. The submissions made in the application are duly supported by affidavit, as such, the application is allowed and delay of 35 days in refiling the appeal is, hereby, condoned.

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4. Heard.

5. Plaintiff-respondent no.1 Ajit Singh, filed suit seeking declaration that he is owner of 160/4906 share out of the suit land measuring 245 kanals 6 marlas situated in Village Sirohi Bahali, Sub Tehsil Nangal Chaudhary, Tehsil Narnaul, District Mohindergarh, on the basis of sale deed dated 07.05.1999 executed by Ram Singh s/o Ghisa Ram, defendant no.1, who was having 11/70 share in the land held by Ghisa.

6. The Courts below decreed the suit holding that at the time of sale Ram Singh was owner of the land sold to the plaintiff and any decree subsequently passed between the brothers and sisters has no effect on the right of the plaintiff that accrued to him vide sale deed dated 07.05.1999. The later decree suffered between the parties was dated 01.09.1999. The plaintiff was also held to be the bonafide purchaser for consideration of the suit land. Nothing could be pointed out during the course of arguments that the findings of the Courts below are not based on evidence on record or there is any misreading of evidence.

7. On perusal of the paper book and judgments of the Courts below, I find no legal or factual infirmity therein calling for any interference.

8. No substantial question of law requiring determination arises in this appeal, which has no merit.

9. Dismissed.

November 26, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE