

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

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Regular Second Appeal No.2936 of 2014

Date of Decision: October 13, 2015

Raj Kumar

...Appellant

Versus

Sureshna and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Arvind Bansal, Advocate
for the appellant.

AUGUSTINE GEORGE MASI, J. (ORAL)

Challenge in this appeal is to the judgment and decree passed by the Civil Judge (Junior Division), Kaithal, dated 07.02.2011, whereby the suit for declaration and joint possession preferred by the widow of the brother of the appellant-defendant No.1 and her minor daughter, has been decreed, appeal preferred by the appellant-defendant No.1 against the said judgment and decree, stands dismissed by the Additional District Judge, Kaithal, on 22.11.2013.

2. It is the contention of learned counsel for the appellant-defendant No.1 that the judgments and decree passed by the Courts below cannot be accepted as the Courts have wrongly appreciated the legal position as on the relinquishment of the rights by the sisters of appellant-defendant No.1's father-Ran Singh in favour of Ran Singh, the said property would become non-ancestral.

3. This submission of learned counsel for the appellant-defendant No.1 is against the basic principles of the succession and, therefore, the same cannot be accepted in the light of the law, which stands settled. The

judgments and decree passed by the Courts below being in accordance with law on proper appreciation of the pleadings and the evidence led by the parties, do not call for any interference by this Court, specially when no substantial question of law arises in this case which requires consideration of this Court.

4. In view of the above, finding no merit in the present appeal, the same stands dismissed.

October 13, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE