

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

RSA No. 3205 of 2014 (O&M)

Date of decision: August 17, 2015

Harjinder Singh

...Appellant

Versus

Harbinder Kaur and another

...Respondents

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?**

Present: Mr. Vikas Goel, Advocate, for
Mr. JS Thind, Advocate,
for the appellant.

K. KANNAN, J. (Oral)

CM No. 7477 C of 2014

For the reasons stated in the application, delay in re-filing the appeal is condoned.

Main case

1. The only point on which the plaintiff's case hinged was that his father who took the power of attorney from the plaintiff for effecting partition exceeded the power and purported to create a sale deed in favour of the plaintiff's brother's wife. The suit was brought by the plaintiff on his return from the foreign country at the time of father's death stating that the father had sold the land without authority and hence the sale in respect of his proprietary interest will not bind him. The courts below have examined the deed of power of attorney and have held that the power to manage is

general in character without restriction for being put to use only for partition and, therefore, the sale executed by such attorney was competent and binding on the plaintiff. The appreciation of the document and the examination of what power the father had conformed to the recitals and I find no error for interference.

2. No substantial question of law is involved in this second appeal. Dismissed.

August 17, 2015
prem

(K.KANNAN)
JUDGE