

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

**Regular Second Appeal No.872 of 2015 (O&M)
Date of Decision: November 20, 2015.**

Gurjit Singh

.....APPELLANT.

VERSUS

Rajwant Kaur and another

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. I.S. Brar, Advocate
for the appellant (s).

SURINDER GUPTA, J.

Heard.

2. The plaintiff-appellant filed the suit seeking relief of permanent injunction to restrain the defendants from interfering in his possession over the suit land measuring 21 kanals 12 marlas, with the plea that earlier his father was in possession of the suit land as tenant and thereafter, he continued to be in possession of the suit land.

3. The defendant denied the possession of the plaintiff over the suit land and claimed his own possession over 34/208 share out of the total joint land measuring 208 kanals 1 marla, which he had purchased vide sale deed dated 19.10.2004.

4. Both the courts below discarded the plea of the plaintiff-

appellant on the basis of rapt roznamcha Ex.D1, which revealed that on 08.10.2004, the possession of land in dispute was transferred to defendants in the presence of plaintiff and other residents of the village. The plaintiff had taken the plea that his signatures on rapt roznamcha Ex.D1, was taken by the revenue officials by way of fraud or misrepresentation, but he failed to allege and prove the fraud. In the absence of any evidence to rebut the entry in the DDR, both the courts below have held that the plaintiff has failed to prove his possession over the suit land.

5. On perusal of the paper book and record of the courts below, I find no legal or factual infirmity calling for any interference.

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

7. Dismissed.

November 20, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE