

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

Regular Second Appeal No.4394 of 2014 (O&M)

Date of decision: 24.4.2015

Tirathpal Singh Sandhu

... Appellant

Versus

Gurpreet Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Raj Kumar Kakkar, Advocate,
for the appellant.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

The only thing which could have snapped the relationship between the appellant and his nephew Gurpreet Singh, general power of attorney holder, would be a document written and sent by the appellant to his nephew not to effect sale under general power of attorney. To establish that, Gurpreet Singh wrote to the appellant that he would not effect sales on the strength of general power of attorney but that has not found favour of both the Courts below and they have not placed trust and faith on the document. Neither would this Court do so in the face of the findings of fact returned on the moot point after appreciating the evidence adduced on record. If the document is worth nothing, then the general power of attorney

continues to govern the relationship between the appellant and Gurpreet

Singh and he was, therefore, competent to make sales of 85K-10M vide 4 separate registered sale deeds dated 11.4.2000, 19.7.2000, 19.7.2000 and 20.7.2000. The transferees thus became bonafide purchaser without notice for valuable consideration on the strength of the revenue record reflected in favour of the appellant which is not open to be tinkered with in regular second appeal. Besides, even if, the appellant discovered, as an excessive recital, in the general power of attorney authorising Gurpreet Singh not only to manage his properties and affairs but effect sales of his land, then he gave no notice to the Sub-Registrar not to execute sales of his property for the reason that he had backed out of the general power of attorney or cancelled it. Learned counsel does not dispute that the general power of attorney was cancelled later on but that was in the year 2000.

No question of law much less a substantial one arises in this regular second appeal which is ordered to stand dismissed.

(RAJIV NARAIN RAINA)
JUDGE

April 24, 2015

Paritosh Kumar