

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

RSA No. 5432 of 2014 (O&M)
Date of Decision : 13.10.2015

Abdul Karim and others

....Appellants

Versus

Deen Mohamed and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Abhimanyu Singh, Advocate
for the appellants.

Surinder Gupta, J. (Oral)

Heard.

Plaintiff-respondents no. 1 to 5 filed a suit seeking possession of the suit land by way of redemption of usufructuary mortgage which was decreed by the Additional Civil Judge (Senior Division), Nuh. Defendant-appellants were directed to hand over possession of the suit land, as detailed in para 1 of the plaint, to the plaintiffs on payment of the mortgage money.

Not satisfied, defendant-appellants filed appeal which was dismissed by the Court of Additional District Judge, Mewat. Both the Courts relying upon observation of the Full Bench of this Court in case **Ram Kishan and others vs. Sheo Ram and others, 2008(1) RCR (Civil) 334**, which has been affirmed by Hon'ble Apex Court in **Civil Appeal No.5198 of 2008 decided on 21.08.2014** titled as **Singh Ram (D) through L.Rs. vs. Sheo Ram & Ors.**, have held that for redemption of usufructuary mortgage there is no period of limitation. Learned counsel for the appellants has not been able to cite any law contrary to the observation in ***Ram Kishan's case (supra)***.

This appeal has no merit and is dismissed.

October 13, 2015
jk

(SURINDER GUPTA)
JUDGE