

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No. 5745 of 2014 (O/M)
Date of decision : 22.12.2015

Gobind Singh

..... Appellant

Versus

Amarjit Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. A.S. Syan, Advocate, for the appellant.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

Impugned in the present regular second appeal is the judgment and decree dated 7.7.2014, passed by the Additional District Judge, Patiala, affirming the judgment and decree dated 3.4.2012, passed by the learned Civil Judge (Junior Division), Patiala, vide which the suit of the plaintiff (appellant herein) for possession, was dismissed. The counter claim filed by the defendant was also dismissed.

I have heard the learned counsel for the appellant and have also carefully gone through the file.

It comes out that the plaintiff had filed a suit for possession, claiming that in the revenue record, he is recorded as owner of the suit land. He also tendered into evidence the

RSA No. 5745 of 2014 (O/M)

-2-

documents pertaining to the previous litigation for permanent injunction, filed by defendant against plaintiff, which was determined in favour of the plaintiff. Both the Courts below have held that from the cross examination of the plaintiff, it comes out that he claims that he got possession of land from one Bachan Singh, but he does not have any sale deed. He also does not disclose as to how he got the ownership of the land. Therefore, merely on the basis of one entry in the revenue record, it cannot be held that the plaintiff has become the owner of the land. If the plaintiff claims ownership, he must allege and prove as to how he acquired the ownership. There is not even a single word as to how the plaintiff acquired the ownership of the disputed land. There are concurrent findings of two Courts below. No substantial question of law arises in the present regular second appeal. Hence, the present regular second appeal is dismissed.

(KULDIP SINGH)
JUDGE

22.12.2015
sjks