

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

RSA No.789 of 2014 (O&M)

Date of Decision: October 08, 2015

Harbans Singh and another

.... Appellants.

vs.

Balbir Kaur and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

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

1. *Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

CM-1773-C-2014

There is delay of 25 days in refiling the present appeal.

For the reasons mentioned in the application supported by an affidavit, delay of 25 days in refiling the present appeal is condoned subject to all just exception.

Application stands disposed of.

RSA-789-2014

Impugned in the present regular second appeal is the judgment and decree dated 11.07.2013 passed by learned Addl. District Judge, Jalandhar, affirming the judgment and decree dated 09.09.2011 passed by learned Addl. Civil Judge (Sr. Divn.), Phillaur, vide which the suit of the plaintiff was decreed to the effect that they were entitled to recover ₹7,20,000/- as damages from defendant Nos.1 and 2 along with interest @ 6% per annum from the date of judgment till the date of its realization.

As per averments made in the plaint, Kamaljit Singh, who happened to be the husband of plaintiff No.1 and father of minor plaintiff Nos.2 and 3 and son of plaintiff No.4, was murdered on 18.05.2006 by the defendants. A criminal case in this regard was registered. It comes out that in the criminal case, defendant Nos.1 and 2 have been convicted and sentenced. The deceased was 40 years of age and the lower court assessed damages @ ₹7,20,000/-. The findings were affirmed in appeal.

I am of the view that the findings of the facts have been recorded by both the courts below. No substantial question of law arises in the present appeal.

Hence, there is no ground to interfere in the impugned judgments and decree of two courts below.

Accordingly, the present regular second appeal stands dismissed.

October 08, 2015
sarita

(KULDIP SINGH)
JUDGE