

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

**Regular Second Appeal No.86 of 2014 (O&M)
Date of Decision: September 07, 2015.**

Ajit Pal Singh and others

.....APPELLANT(s).

VERSUS

Gurdial Singh

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Gupta, Advocate for
Mr. Vipin Mahajan, Advocate
for the appellant (s).

SURINDER GUPTA, J.

Heard.

This is an appeal against the concurrent finding of the Courts below whereby the sale of 3 kanals 11 marlas of land by defendant No.1 Harmit Singh father of appellants No.1 and 2 and husband of appellant No.3 is held as legal and valid.

The main plea raised by the appellants-plaintiffs was that they had purchased the suit land measuring 23 kanals which include the land measuring 3 kanals 11 marlas vide sale deed dated 24.05.1999 by Gurdial Singh from Harmit Singh vide sale deed dated 30.06.1999. As it transpires from the perusal of the paper book and judgment of the Courts below that the plaintiff did not dispute that Gurdial Singh, defendant No.2 was in

possession of the land bearing khasra No.8/2 (3-11) as mortgagee under Harmit Singh. It was also proved that Harmit Singh had executed an agreement to sell dated 24.05.1999 (Ex.D4) with regard to the land measuring 3 kanals 11 marlas comprised in khasra No.8/2(3-11) in favour of defendant No.2 Gurdial Singh. The agreement was never challenged or was proved to be fake, forged or frivolous document.

In view of the above facts, both the Courts held the sale of land measuring 3 kanals 11 marlas by defendant No.1 in favour of defendant No.2 is legal and valid. However, the plaintiffs continued to be owners of the remaining 19 kanals 9 marlas of land which is not dispute.

On perusal of the paper book and the judgments of the Courts below, I do not find any legal or factual infirmity therein calling for any interference.

No substantial question of law requiring determination arises in this appeal, which has no merits. Dismissed.

September 07, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE