

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

**Regular Second Appeal No.2195 of 2015 (O&M)
Date of Decision: March 01, 2016.**

Sita Ram and another

.....APPELLANT(s).

VERSUS

Balu and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Raman Chawla, Advocate
for the appellant (s).

SURINDER GUPTA, J.

Heard.

2. Appellant-plaintiff filed suit, claiming declaration of their title and possession over the suit land, as fully defined in the head note of the plaint, challenging the sale deed No.2279 registered on 23.05.2006 executed in favour of defendants No.1 to 3 by the remaining defendants.

3. The case set up by the plaintiffs, in brief, is that the predecessor-in-interest of defendants No.4 to 23 owned the suit land and they left the village handing over the suit property to them. Defendants No.1 to 3 allege to have purchased the suit property from defendants No.4 to 23 vide sale deed dated 23.05.2006, which is a forged and fabricated document.

4. On appraisal of evidence, Courts below found that the suit property was owned by defendants No.4 to 23 and they have validly sold it

to defendants No.1 to 3. The plaintiffs were neither owners nor have set up their title over the suit land by any mode of alienation in their favour. So far as the possession over the suit property is concerned, there is admission of plaintiff Bhoop Singh PW2 that the possession of the suit land is with defendants No.1 to 3, but he stated that the same was taken from the plaintiffs forcibly. From the evidence on record, it is proved that the plaintiffs are not owners of the suit property. Possession is also admitted to be with defendants No.1 to 3.

5. In view of the above facts, I find no legal or factual infirmity in the judgments of the Courts below, calling for any interference.

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

7. Dismissed.

March 01, 2016.
Sachin M.

(SURINDER GUPTA)
JUDGE