

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
CM No. 5971-C of 2016 in/and
RSA No. 4732 of 2015
Date of decision : May 9, 2016**

Smt. Maya Devi

..... Appellant

Versus

Parkasha and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Sanjeev Sheoran, Advocate
for the applicant-appellant.

1. Whether reporters of local papers 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?

Amit Rawal, J (oral).
CM No. 5971-C of 2016

For the reasons stated in the application, application
is allowed.

The appeal is restored back to its original number.

RSA No. 4732 of 2015

The appellant-plaintiff is aggrieved of the dismissal of the suit seeking declaration to the effect that the sale deed dated 11.1.1995 allegedly executed in favour of respondent, being null and void and not binding upon the rights of the plaintiff.

Learned counsel for the appellant-plaintiff submits that the alleged sale deed has been obtained on the basis of fraud and mis-representation and on coming to know about the same the

suit was filed in the year 2009.

He further submits that there is no limitation in respect of claim based on title, thus, the courts below ought not to have dismissed the suit, thus urges this court to formulate substantial questions of law for determination by this Court.

I have heard learned counsel for the appellant and appraised the paper book of the view that no explanation has come forth for not filing the suit within 14 years, much less ingredients of Order 6 Rule 4 CPC are conspicuously wanting. The registered document raises presumption of truth until and unless it is set aside by virtue of decree whereas on the contrary, mother of the plaintiff sold the suit land on her own.

I do not intend to differ with the finding rendered by both the courts below which is based on appreciation of oral and documentary evidence. There is no illegality or perversity in the aforementioned judgments and decrees of the courts below.

No substantial question of law arise for determination by this Court.

In view of what has been observed above, the appeal is devoid of merits, accordingly, the same is dismissed.

**(AMIT RAWAL)
JUDGE**

**May 9 , 2016
archana**