

In the High Court of Punjab and Haryana, at Chandigarh

Regular Second Appeal No. 2244 of 2014

Date of Decision: 01.02.2016

Hans Raj and Others

... Appellant(s)

Versus

Hardeep Singh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Vinod Bhardwaj, Advocate
for the appellants.

Shekher Dhawan, J.

Present regular second appeal against concurrent findings of both the Courts below, whereby suit for possession on the ground that defendant No.6 had no right to alienate the suit property except by way of legal necessity and consideration was dismissed. The Court of first instance dismissed the civil suit by recording a finding that plaintiffs failed to prove the same. The said finding was affirmed by the Court of first appeal.

For the sake of convenience, parties are being referred to as per their status before the Court of first Instance.

Learned counsel for the appellants submitted that there

was no legal necessity for execution of any document and the sale was without any consideration but both the Courts below have not appreciated the real controversy and the said findings are liable to be reversed.

Having considered the submissions made by learned counsel for the appellants, this Court is of the considered view that there is no substantial question of law involved in the case. Both the Courts below have rightly recorded the findings that it has come on the file that with the sale proceeds of land, large chunk of agricultural land was purchased by Lal Chand in Rajasthan, which is very fertile land. More so, there is nothing on the file to decide that the suit property was ancestral property and the same was sold without any legal necessity. The said findings of facts have been appreciated by both the Courts below and there is no ground for interference by this Court by way of present regular second appeal. Resultantly, present appeal is not maintainable and the same stands dismissed.

(Shekher Dhawan)
Judge

February 1, 2016

"DK"