

RSA-5912-2015(O&M)

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IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

RSA-5912-2015(O&M)

Date of decision : 24.02.2016

Jarnail Singh and others

... Appellants

Versus

Karam Singh and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Narinder Singh, Advocate
for Mr. D. S. Malwai, Advocate
for the appellants.

REKHA MITTAL. J.(ORAL)

The present appeal lays challenge to consistent findings recorded by the Courts below whereby the suit filed by the appellants / plaintiffs for partition claiming themselves to be co-sharers to the extent of 7/9th share in the Hindu Joint Family Co-parcenary property being its members has been dismissed by the trial Court and the judgment and decree passed by the trial Court has been affirmed in appeal.

On a pointed query raised by the Court as to what are the materials on record to substantiate plea of the appellants that the suit property is Joint Hindu Family Co-parcenary property, counsel has fairly conceded that no such evidence is available on record. As the appellants have failed to establish their plea in regard to suit property being Joint Hindu Family Co-parcenary property, the basis of their claim of co-

ownership and entitlement to seek partition, no error much less illegality can be found in the findings recorded by the Courts below when otherwise the present appeal does not raise any question of law much less a substantial one, for adjudication.

In view of what has been discussed hereinabove, finding no merit, the appeal is dismissed in limine. No order as to costs.

(REKHA MITTAL)
JUDGE

February 24, 2016.
Davinder Kumar