

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**RSA No.3018 of 2010 (O&M)
Date of Decision: 24.10.2017**

Ram Singh and others

... Appellants

Versus

Smt. Roshani Devi and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Tara Chand Dhanwal, Advocate,
for the appellants.

Mr. Vijay S. Kajla, Advocate
for the respondents.

ANIL KSHETARPAL, J. (ORAL).

The plaintiffs are in Regular Second Appeal against the concurrent finding of fact arrived at by the Courts below.

The plaintiffs had filed a suit for declaration claiming that they are exclusive owner in possession of the plot in question. On the other hand, the defendants had taken a stand that the plot was allotted during consolidation proceedings after making pro rata cut. The aforesaid pro rata cut was imposed on the joint land of the parties.

Both the Courts after appreciating the evidence available on the file, have recorded a finding of fact that the plot in question is joint property between the parties.

I have heard the learned counsel for the parties at length and with their able assistance gone through the judgements passed by the Courts below.

Learned counsel for the respondents has read over the statement of plaintiff-Ram Singh, who has admitted that the plot in question was allotted to their grandfather in lieu of pro rata cut. It was also admitted that the property at the time of consolidation was joint between the parties.

Still further, in the partition proceedings predecessor in interest of the plaintiffs has taken a stand that the plot in question is part and parcel of the joint holding.

Taking into consideration the aforesaid facts, this Court does not find any good ground to interfere with the finding recorded by the Courts below.

The appeal is dismissed.

(ANIL KSHETARPAL)
JUDGE

24.10.2017
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No