

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

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RSA No. 4640 of 2011 (O&M)

Date of decision: 14.09.2017

Mukhtar Singh

..Appellant

Vs.

Ranjit Kaur and Others

..Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. G.S. Bhatia, Advocate
for the appellant.

Mr. Mansur Ali, Advocate with
Ms. Gitika, Advocate for respondents No. 1 and 2.

AJAY TEWARI, J.(ORAL)

On 23.08.2017, the following order was passed:-

“After arguing for some time, counsel for the appellant seeks two weeks' time so that the appellant is able to persuade the respondents No. 1 and 2 to take the money against land measuring 13 kanals.

Counsel for respondents No. 1 and 2 states that if the appellant is able to persuade his clients to settle the matter out of Court he would have no objection.

Adjourned to 14.09.2017”

Today, both the parties are present in the Court but there is no chance of any settlement. The dispute in this case is with regard to land measuring 26 kanals which as per the appellant was owned by him in view of a writing dated 10.09.1976. Both the Courts held that this writing could not vest the appellant with the ownership over the land measuring 26 kanals and respondents No. 1 and 2 are owners of one half share of the land. It is otherwise not disputed that respondents No. 1 and 2 are equal co-sharers with the appellant. Once counsel for the appellant has not been able to point

out any illegality in the finding that the writing dated 10.09.1976 is a vague document and does not properly delineate the particular land which fell to the share of respondents No. 1 and 2, the finding that both the appellant and respondents No. 1 and 2 (jointly) are equal share-holders in the land, cannot be disturbed.

In view of above, the present appeal is dismissed.

September 14, 2017

Poonam (II)

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No