

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

RSA No. 4896 of 2012 (O&M)
Date of decision : August 04, 2017

Jagir Kaur

..... Petitioner

v.

Ranjit Kaur and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. SS Deol, Advocate
for the appellant.

Mr. DV Sharma, Sr. Advocate with
Ms. Shivani Sharma, Advocate
for the respondents.

Ajay Tewari, J (Oral)

By way of this appeal, the appellant has impugned the concurrent judgments and decrees of the Courts below holding respondent No.1 to be entitled to 1/4th share in the property left behind by Joginder Singh.

Brief facts are that respondent No.1 had filed a suit claiming that originally the appellant was the wife of Joginder Singh but their marriage was dissolved by a decree of divorce in the year 1994 and thereafter Joginder Singh had married her and consequently after his death, she was entitled to 1/4th share in the land left behind by him in villages Fazalpur, Nurpur and Rangra. Along with the plaint (and in evidence), respondent No.1 had placed on record document Ex.P1 which was a decree

of divorce granted by a Court in Birmingham in UK. The appellant did not lead any other evidence to dispute this decree of divorce except her verbal statement where she had said that she had never been divorced by her husband. Both the Courts below held that her self serving testimony would not serve to rebut the correctness of the foreign judgment and consequently held that it was proved that she had been divorced from her husband.

Counsel for the appellant has not been able to point out any other piece of evidence which may be there to doubt the authenticity or correctness of the divorce Ex.P1/P14. In the circumstances, no fault can be found with the finding of fact recorded by the Courts below. No question of law arises in this appeal. Consequently, the present appeal is dismissed.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

August 04, 2017
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No