

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

**RSA No.3719 of 2015 (O&M)
Date of Decision: 9.10.2017**

Smt.Pushpa Devi and another ...Appellants

Versus

Buti Ram ...Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Vishal Munjal, Advocate for the appellants

RAJIV NARAIN RAINA, J. (Oral)

1. This appeal has been preferred against the judgments and decrees passed by the trial court and the lower appellate court dismissing the suit of the plaintiffs. The plaintiffs have filed the suit for declaration to the effect that they are the sole successors-in-interest being natural successors of late Shri Girdhari Lal, father of the plaintiffs in respect to the suit property.

2. Concurrent findings of fact have been returned by both the courts below that the registered will executed by the testator, namely, late Girdhari Lal in favour of Chhaju Ram, father of the defendant, stands proven fact in law by production and appreciation of evidence. Therefore, the case set up by the plaintiffs based on natural or intestate succession is ruled out.

3. On the basis of lack of evidence and materials on record justifying a decree in favour of the plaintiffs, it is not possible for this Court to interfere with the concurrent findings of fact recorded by the courts below. The judgments and decrees of the courts below do not suffer from any illegality, irregularity or perversity nor the same can be

said to be tainted with any error apparent on the face of record so as to

require interference by this Court in this appeal. No question of law, much less a substantial one, arises for consideration in this appeal.

4. For the foregoing reasons, this appeal is held to be without substance and is dismissed.

9.10.2017
MFK

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No