

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101

RSA No.4637 of 2015 (O&M)

Date of Decision : 24.08.2017

Gurdeep Kaur

..... Appellant

Versus

Sewa Singh and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Ms. Ravinder Kaur Manaise, Advocate
for the appellant.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of the Courts below dismissing the suit filed by the appellant challenging the sale deed dated 25.03.2009 which was executed by her and her sister in favour of the respondents (who are their brothers).

The case set up by the appellant was that she was taken to the office of the Sub-Registrar on the pretext that she would be executing a Will in favour of her five brothers but a sale deed was executed in favour of only two of her brothers by fraud. The Courts below noticed that i) her sister neither filed a suit alongwith her nor appeared as witness to corroborate the assertion that they had gone to execute a Will; ii) during her evidence the appellant completely changed her story and claimed that in fact she was

no explanation why the appellant wanted to make a Will in favour of her brothers by ignoring her three sons and iv) the FIR lodged by the appellant was only against her sister.

Counsel for the appellant has argued that no consideration was paid before the Sub-Registrar. In my opinion, this one fact loses most of its significance when viewed against the backdrop of the other facts found by the Courts as mentioned above.

Consequently, I regret my inability to give any relief to the appellant. Appeal is dismissed. No costs.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

August 24, 2017
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No