

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

117

RSA No.3341 of 2014 (O & M)
Date of Decision:08.12.2017

Surinder Pal and another

...Appellants

Versus

Gurbax Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. H.S. Dhindsa, Advocate
for the appellants.

Mr. Saurav Verma, Advocate with
Mr. Akash Soni, Advocate
for respondent Nos.1 and 2.

ANIL KSHETARPAL, J.(Oral)

Plaintiffs-appellants are in regular second appeal against the concurrent findings of fact arrived at by the Courts below.

Plaintiffs filed a suit for declaration challenging sale deed dated 20.06.1988 executed by Kesar Singh their predecessor-in-interest on the ground that it is forged and fabricated.

Both the Courts below after appreciating the evidence available on the file, dismissed the suit.

Plaintiffs had claimed that Kesar Singh had executed a Will in their favour and, therefore, the plaintiffs are entitled to file the suit. Once Kesar Singh had sold the property and parted with the ownership, he was left with no right in the property and hence the Will - testamentary document would be no effect.

Both the Courts below have further found that the Will is not with respect to the property in dispute.

Learned counsel for the appellants although argued the case very vehemently, however, keeping in view the findings of fact arrived at by the Courts below, this Court does not find any good ground to interfere with the concurrent findings of fact arrived at by the Courts below.

Hence, this regular second appeal is dismissed.

08.12.2017
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No