

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

**RSA No.1411 of 2017 (O&M)
Date of Decision: March 10, 2017**

Jarnail Singh

..Appellant(s)

Versus

Dilbag Singh and others

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Channan Singh, Advocate
for the appellant.

ANITA CHAUDHRY, J.

This is the plaintiff's second appeal assailing the judgments of both the Courts below.

I have heard the counsel for the appellant at great length.

The plaintiff had been non-suited by both the Courts below. His plea that the property was ancestral was rejected. The plaintiff was seeking a declaration that the sale/transfer by his father in favour of defendants no.1 & 2 was illegal and liable to be set aside as it was a result of fraud and without consideration. The plaintiff did not lead any evidence to show that the property was ancestral. Both the Courts below had noted that except for the oral statement of the plaintiff, there was no evidence. The documents relating to the criminal case were placed on record. The plaintiff was rightly non-suited since he had failed to establish that the suit property was ancestral.

The appeal is dismissed in limine.

**(ANITA CHAUDHRY)
JUDGE**

March 10, 2017
sunil

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No