

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

**RSA No.3022 of 2017 (O&M)
Date of decision : 31.07.2017**

Ashok Kumar

..... Appellant

versus

Siriya and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Rajesh Lamba, Advocate
for the appellant.

AJAY TEWARI, J.(ORAL)

This appeal has been filed against the concurrent judgment of the dismissal handed out to the plaintiff-appellant.

The admitted facts are that the plaintiff-appellant purchased 7/80th share of a plot in the abadi area from respondents No.3 and 4. He filed a suit claiming possession by partition on the ground that half of the land which was purchased by him fell in khasra No.274 and half fell in khasra No.275.

The case of the respondents on the other hand was that the plaintiff-appellant was in established possession of the share purchased by him and which had been handed over to him by the predecessor-in-interest from the date of his purchase and there was no dispute regarding partition. While appearing as witness the plaintiff-appellant stated that he had purchased share from respondents No.3 and 4 who had handed over possession of 105 sq. yards which was in their possession and he was tethering his cattle over there. Thus the case of the plaintiff-appellant was

itself falsified and that of the respondents was established and that is what both the Courts have held.

Learned counsel has not been able to show how these findings are vitiated.

Appeal stands dismissed.

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

31.07.2017
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No