

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

RSA No.4591 of 2017 (O&M)

Date of decision : 06.10.2017

Padam Singh and others

...Appellants

Versus

Hari Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.S. Lamba, Advocate and
Mr. Arun Yadav, Advocate for the appellants.

ANIL KSHETARPAL, J. (ORAL)

The plaintiffs-appellants are in Regular Second Appeal against the concurrent findings of fact arrived at by the Courts below.

Apart from other, the learned First Appellate Court has held that the suit is beyond limitation as the suit has been filed after a period of more than 67 years. The alleged mutation of inheritance was sanctioned in favour of Sher Singh in the year 1942. The plaintiffs have filed a suit in the year 2009. The Courts below have found that the suit is barred by limitation.

Still further, the Courts below have examined the evidence in detail and recorded a concurrent findings of fact against the plaintiffs. It is not in dispute that the plaintiffs are claiming through Ramdai. Ramdai, plaintiff's mother remained alive upto the year 1987. She never choose to challenge the mutation sanctioned in the year 1942.

In these circumstances, I do not find any good ground to interfere with the concurrent findings of fact arrived at by the Courts below.

Regular Second Appeal is dismissed.

06.10.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No