

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

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RSA No.5625 of 2017 (O & M)
Date of Decision:07.12.2017

Beby @ Parminder Kaur

...Appellant

Versus

Harbhajan Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.S. Chahal, Advocate
for the appellant.

ANIL KSHETARPAL, J.(Oral)

Defendant No.3 is in regular second appeal against the concurrent findings of fact arrived at by the Courts below.

Plaintiff filed a suit for possession by way of partition claiming half share in the property. It was pleaded that remaining half share belongs to defendant Nos.1 and 2. On the other hand, defendants admitted that the plaintiff was owner of the half portion but he had given up his share in a family settlement in lieu of share of Dilbag Singh.

Both the Courts after appreciating the evidence available on the file, decreed the suit filed by the plaintiff. Both the Courts have concurrently found that the defendants have failed to prove that there was any family settlement between the parties. No document evidencing family settlement has been produced.

I have heard learned counsel for the appellant at length and with his able assistance gone through the judgments passed by the Courts below. He could not point out any misreading of evidence or substantive non-reading of evidence.

In view thereof this Court cannot interfere with the concurrent findings of fact arrived at by the Courts below.

Hence, this regular second appeal is dismissed.

07.12.2017
sheetal

(ANIL KSHETARPAL)
JUDGE

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