

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102

RSA No.1193 of 1990 (O&M)

Date of decision: 08.02.2018

Sher Singh

..... Appellant

Versus

Bhup Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- None for the appellant.

Mr. Vaibhav Sharma, Advocate
for the respondents.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-appellant is in regular second appeal against the concurrent finding of fact arrived at by the Courts below.

Budha was owner of the property. He sold certain property and the plaintiff-appellant filed a suit for pre-emption which was decreed. Thus, the plaintiff became owner of 37 kanals land.

Budha thereafter, relinquished his share in the remaining land in favour of his four other sons excluding the plaintiff namely Bhup Singh, Daya Ram, Prabhu and Om Parkash vide registered relinquishment deed dated 27.08.1974. The plaintiff filed a suit on 23.02.1983 challenged the aforesaid relinquishment deed. Apart from other reasons, both the Courts have dismissed the suit on the ground that the suit filed by the plaintiff was barred by time as the suit was filed after a period of more than 8 years and 6 months. Both the Court have also noticed that through the relinquishment

deed, the defendants i.e. four sons have got share less than which is less than Sher Singh got via pre-emption decree.

In view thereof, this Court does not find any error in the judgments passed by the Courts below.

The miscellaneous application, if any shall stands disposed of accordingly.

Appeal is dismissed.

08.02.2018
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

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