

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

**RSA-192-1996(O&M)
Date of Order:22.11.2018.**

NARAINI AND OTHERS

..Appellants

Versus

AMAR SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ramesh Hooda, Advocate,
for the appellants.

Mr. R.A.Sheoran, Advocate,
for the respondent.

ANIL KSHETARPAL, J (Oral)

Plaintiffs-appellants are in the regular second appeal against the detailed judgment passed by the learned first appellate court reversing the judgment of the learned trial court, resulting in dismissal of the suit filed by them, challenging correctness of a registered sale deed executed by them on 01.06.1984 on the ground that through the registered sale deed only agricultural land was sold but non-agricultural land was never intended to be a part of the sale deed.

On reading of the sale deed, it is apparent that not only agricultural land measuring 60 kanals and little more than 11 marlas has been sold but even the non-agricultural land has been sold by specifically mentioning its khasra numbers.

Learned counsel for the appellants submitted that there was an agreement to sell between the parties, which was only with respect to the agricultural land and the defendant had played fraud by wrongly getting the khasra numbers of the non-agricultural land incorporated. The aforesaid

agreement to sell as pleaded by the defendant has not been proved on file.

The defendant has denied his signatures.

Still further real sister of both the plaintiffs has appeared in evidence, namely, Anchi who has supported the case of the defendant and pleaded that along with the agricultural land, the non-agricultural land was also agreed to be sold.

A registered document i.e. 'sale deed' has a presumption of correctness and unless a fraud has been established, the sale deed as registered cannot be ignored. In the present case, although, plaintiffs have pleaded fraud, however, failed to lead any substantive evidence.

In view thereof, this court does not find any good ground to interfere.

The regular second appeal is dismissed.

November 22, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No