

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

**RSA No.3800 of 2010 (O&M)
Date of Order:17.12.2018**

Aslup and another

..Appellants

Versus

Chander Khan and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Lokesh Sinhal, Advocate,
for the appellants.

Mr. R.K.Sharma, Advocate,
for respondents no.2 to 4.

ANIL KSHETARPAL, J(Oral)

Plaintiffs-appellants are in the regular second appeal against the concurrent findings of fact arrived at by the courts below.

Basically plaintiffs-appellants had challenged 2 sale deeds executed by their father and uncle in favour of defendants no.3 to 5 on the ground that the property is ancestral property and the sale deed executed is against custom. Father and uncle were impleaded as defendants no.1 and 2, whereas the purchasers were impleaded as defendants no.3 to 5. Defendants no.1 and 2 did not chose to contest whereas defendants no.3 to 5 contested the suit.

On appreciation of evidence, both the courts have recorded concurrent findings that out of the property sold, 8 kanals was self acquired, whereas the remaining land was sold for legal necessity i.e. for refund of a bank loan.

Although, learned counsel for the appellants made sincere attempt to persuade this court to take a different view, however, in absence of any perversity or any substantive error in the judgments, this court does not find any good ground to interfere.

The regular second appeal is dismissed.

December 17, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No