

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

**RSA No.3720 of 2012 (O&M)
Date of Order:26.03.2018**

Tarlochan Singh and others

..Appellants

Versus

Baljit Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Naresh Jain, Advocate,
for the appellants.

Mr. Rakesh Chopra, Advocate,
for the respondent.

ANIL KSHETARPAL, J(Oral)

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

It is not disputed before this Court that the oral exchange is permissible in the State of Punjab. Plaintiff had exchanged the land with the defendant. The memorandum of exchange was subsequently reduced into writing on 06.05.1994. Mutation of the land exchanged was sanctioned.

Learned counsel for the appellant has argued that the memorandum of exchange is not a memorandum, but it is in presentie and therefore required registration. Learned counsel for the parties have jointly read over the memorandum of exchange dated 06.05.1994. It is specifically recorded in the memorandum of exchange that the parties have already exchanged their possession and the same is now being reduced into writing.

It has further been noted in the memorandum of exchange that the parties

would also get the mutation of exchange sanctioned.

In view of the aforesaid, there is no ground to interfere with the concurrent findings of fact arrived at by the courts below.

The regular second appeal is dismissed.

March 26, 2018
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(ANIL KSHETARPAL)
JUDGE

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