

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

RSA No.4007 of 2012 (O&M)

Date of decision : 27.09.2018

Norang Singh (deceased) through his LRs and another

...Appellants

Versus

Amarjit Kaur and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Akshay Bhan, Sr. Advocate with  
Mr. Santosh Sharma, Advocate for the appellants.

Mr. Vikas Mohan Gupta, Advocate for the respondents.

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**ANIL KSHETARPAL, J. (ORAL)**

The plaintiffs-appellants are in the Regular Second Appeal against the concurrent findings of fact arrived at by both the Court below while dismissing their suit for possession with consequential relief of permanent injunction.

In fact, the suit has been cleverly drafted. Prayer in the suit for possession whereas plaintiffs are trying to avoid a registered sale deed which was executed by Chuhar Singh, the predecessor-in-interest of the plaintiffs on 30.07.1985 Ex.D1. The plaintiffs claim that Chuhar Singh executed a registered Will in their favour on 30.11.1982.

Both the Courts below after appreciating the evidence, have found that apart from other grounds, the suit filed by the plaintiffs was

barred by limitation. The suit was filed on 30.07.1997. Even if the period when Chuhar Singh remained alive is excluded, even then the suit was required to be filed to challenge the sale deed within a period of three years.

In view of the aforesaid, this Court does not feel any necessity to going into any other issue.

Regular Second Appeal is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the abovesaid judgment.

**27.09.2018**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:-                      Yes/No**

**Whether reportable:-                                      Yes/No**