

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

**RSA No.4731 of 2012 (O&M)
Date of Decision:16.11.2018**

Surjit Kaur

...Appellant(s)

Versus

Harbhinder Singh and others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Dixit Garg, Advocate for
Mr.Aman Bansal, Advocate for the appellant.
Mr.Abhishek Goyal, Advocate for respondents No.1 and 2.
Mr.Dinesh Mourya, Advocate for
Ms.Sonia G. Singh, Advocate for respondents No.3 and 4.

ANIL KSHETARPAL, J.

The plaintiff-appellant is in the regular second appeal against the concurrent findings of fact arrived at by the courts below, dismissing her suit for declaration that she is joint owner in possession of 1/10th share in the land measuring 251 kanals and 19 marlas and the sale-deed executed on the basis of general power of attorney dated 12.4.2004 is illegal.

Both the courts on appreciation of evidence have found that the plaintiff has failed to prove her case. She has not appeared in evidence. Rattan Singh, who appeared on her behalf, did not come for completing the statement on behalf of the plaintiff denying the defendant's opportunity to cross-examine the witness. Two other witnesses namely Puran Singh and Kapoor Singh did not advance the case of the plaintiff.

This Court has heard the learned counsel for the parties at length and with their above assistance gone through the judgments passed by both the courts below and the record.

Learned counsel for the appellant although made an attempt but could not draw attention of the Court to any substantive error either in appreciation of evidence or of law.

In view of the above, there is no ground to interfere with the concurrent findings of fact arrived at by both the courts below. The present regular second appeal is dismissed. Pending application(s), if any, shall also stand disposed of, in terms thereof.

16.11.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No