

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

RSA No. 1008 of 2016

Date of decision : September 11, 2018

Balbir Singh and others

..... Appellants

v.

Mukhtiar Kaur

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Mohit Garg, Advocate
for the appellants.

Ajay Tewari, J (Oral)

This appeal has been filed against the concurrent judgments of the Courts below decreeing a suit filed by the respondent.

The case of the respondent was that she was gair marusi tenant over the land in dispute measuring 10 kanals and the appellants have no right, title or interest in the same, and they be restrained from interfering in her possession. The case of the appellants, on the other hand, was that the respondent was not gair marusi tenant; that she was not in the possession, and that they were the owners.

Both the Courts below found that the persons who allegedly sold the property in favour of the appellants was not proved to be the owners. Both the Courts also noticed the statement of appellant No.1 where he had admitted that the property was owned by the Dera and could not explain how their vendor had the title to sell the property. Both the Courts

also noticed that the respondent was continuously shown as tenant over the property in dispute under the Dera, and consequently decreed the suit.

Counsel for the appellants has not been able to show how these findings suffer from interference by this Court particularly in view of the admission of appellant No.1 during the course of cross examination that the Dera was the owner of the property. Consequently, finding no merit this appeal is dismissed.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

September 11, 2018
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No