

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

109

RSA No.432 of 2013 (O & M)
Date of Decision:17.04.2018

Mangal Ram

...Appellant

Versus

Soran Ram and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arvind Bansal, Advocate
for the appellant.

Mr. N.D. Achint, Advocate
for respondent Nos.1 and 2.

ANIL KSHETARPAL, J.(Oral)

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

Plaintiff filed a suit for declaration challenging release deed executed by his father in favour of Soran, his another son. It is not disputed that through various release deeds, late Sh. Santu, father of the parties, had equally divided the land in favour of his three sons including the plaintiff. A release deed was executed in favour of Mangal and Sham Lal on 22.08.2003 dividing the land equally and thus giving 1 kanal and 19 marlas each to both the sons. Subsequently, Santu executed another release deed in favour of Soran for 1 kanal and 19 marlas.

Learned counsel for the appellant has vehemently argued that as per a family settlement Ex.P-13 dated 20.04.2003 land measuring 6 kanals was divided amongst the family members. He has submitted that therefore, in view of the aforesaid settlement, share of the plaintiffs would

be much more.

Learned counsel for the appellant was requested to prove that whether the family was owner of 6 kanals of the land on the day the family settlement was arrived at. Learned counsel for the appellant failed to point out any evidence to prove that fact.

It has come in evidence that late Sh. Santu, father of the parties subsequently became owner of the land as the land was transferred by his sisters.

In view thereof, there is no scope for interference with the concurrent findings of fact arrived at by the Courts below.

Regular second appeal is dismissed.

17.04.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No