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

**RSA No.4470 of 2013 (O&M)
Date of Decision: 05.09.2018**

Jai Lal

.....Appellant

Versus

State of Haryana & others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Vikas Singh, Advocate
for the appellant.

Mr. Saurabh Girdhar, AAG, Haryana.

ANIL KSHETARPAL J. (oral)

Plaintiff-appellant is in the Regular Second Appeal against the concurrent findings of fact arrived at by both the Courts below.

Plaintiff alongwith proforma defendant No.2, claimed that they have acquired the occupancy rights in the land measuring 93 Kanals and 11 Marlas. It has been claimed that their father was tenant on the land paying only nominal rent of Rs.100/- per acre and since possession of the plaintiff after the death of their father continuous therefore they have acquired the occupancy rights.

The defendants contested the suit and pleaded that father of the plaintiff had taken the property on lease in an open auction at the rate of Rs.1300/- for the year 1976-1977 and thereafter he never took the property on lease. It was further submitted that Rs.1300/- is not a nominal rent.

Both the Courts after examining the evidence available on the file dismissed the suit filed by the plaintiff.

Learned counsel for the appellant although made sincere attempt, however, could not point out any perversity or substantive error in the judgments passed by the Courts below. He also could not point out any mis-reading or non-reading of substantive evidence.

Hence, there is no ground to interfere, present Regular Second Appeal is hereby dismissed.

All the pending miscellaneous application(s), if any, is/are disposed of in terms thereof.

(ANIL KSHETARPAL)
JUDGE

September 05, 2019
shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No