

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

**RSA No.1641 of 2015 (O&M)
Date of Order: 04.05.2018**

Ram Kumar and others

..Appellants

Versus

Balli Ram and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Pankaj Maini, Advocate,
for the appellants.

Mr. Ajay Chaudhary, Advocate,
for respondent no.1.

ANIL KSHETARPAL, J (Oral)

Plaintiffs-appellants are in the regular second appeal against the concurrent findings of fact arrived at by the courts below.

The trial court decreed the suit filed by the plaintiffs in part and dismissed the suit with respect to the property covered by previous judgment and decree passed in favour of defendant no.1.

In the present case, the dispute was with regard to the estate of Nigahia who died issueless on 30.08.1985. Mutation of the property of Nigahia was sanctioned in favour of Bali Ram and Raj Karan ignoring other brothers, who were also class-II heirs. Courts have decreed the suit filed by the plaintiffs to that extent, however, Bali Ram had earlier filed a suit challenging the sale deed executed by Banwari in the year 1966. The aforesaid suit was decreed and the appeal against the same was also dismissed and Bali Ram was declared owner of the aforesaid property.

Counsel for the appellants made sincere efforts, however, he could not point out any substantive misreading or non-reading of the evidence.

This court with the able assistance of learned counsel for the parties have gone through the judgments, which in the considered view does not require any interference.

The regular second appeal is dismissed.

May 04, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No