

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.1860 of 2015 (O&M)

Date of Order:11th May, 2018

Bibi Jagir Kaur and another

..Appellants

Versus

Varinder Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Divanshu Jain, Advocate and
Mr. Ashish Bishnoi, Advocate, for
Ms. Poonam Josan, Advocate,
for the appellants.

Mr. Anshul Gupta, Advocate, for
Mr. Saurabh Arora, Advocate,
for respondent no.1.

ANIL KSHETARPAL, J.

Defendants-appellants are in the regular second appeal against
the judgments and decrees passed by both the courts below.

A suit for separate possession by way of partition was filed
claiming share in the joint property.

In a connected appeal decided by this Court, by judgment of
even date i.e. Regular Second Appeal No.852 of 1995 (*Dhanwant Kaur
and another v. Jagir Kaur and another*), the appeal filed by the
respondents has been dismissed, resulting in affirmation of the decree for
specific performance of the agreement to sell.

In view of the aforesaid judgment, the shares of the parties in
the joint property would have to be re-worked.

In view thereof, the regular second appeal is allowed. The case

is remitted back to the learned trial court for fresh decision.

11th May, 2018
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(ANIL KSHETARPAL)
JUDGE

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