

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

114

RSA No.4669 of 2016 (O & M)
Date of Decision:10.05.2018

Dhanpati and others

...Appellants

Versus

Maha Singh deceased through LRs and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.K. Rana, Advocate
for the appellants.

ANIL KSHETARPAL, J.(Oral)

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

Plaintiffs through the present suit filed on 04.10.2007 had challenged its sale deeds executed by their predecessor Sundra Singh on 03.04.1979.

Both the Courts have already examined this issue and decided against the plaintiffs. When learned counsel for the appellants was confronted with the fact that the suit was filed after a period of 28 years, he submitted that the limitation to file the suit would begin from the date of knowledge.

As per Section 3 of the Transfer of Property Act, 1882 in case of an instrument, which has been registered a person is said to have notice of the fact when it was so registered and registration was completed.

Further late Sh. Sundra Singh predecessor-in-interest of the plaintiffs was owner of the property. He executed the sale deed on

03.04.1979. He died in the year 1992 after having lived for almost 13 years from the date sale deed was executed. Late Sh. Sundra Singh never chose to challenge the validity of the sale deed.

In view of the aforesaid, there is no ground to interfere in the judgments of the Courts below.

Regular second appeal is dismissed.

10.05.2018
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(ANIL KSHETARPAL)
JUDGE

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