

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

101

RSA-3397-2015 (O&M)
Date of Decision : 29.10.2018

Ramotar

....Appellant

vs.

Vijaypal and others

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Ramender Chauhan, Advocate
for the appellant.

AJAY TEWARI, J. (Oral)

CM-8228-29-C-2015

For the reasons recorded, the applications are allowed. Delay of 572 days in refiling the appeal and delay of 24 days in filing the appeal is condoned.

Main Case

This appeal has been filed against the judgment of the Lower Appellate Court while the suit of the respondent was partly decreed by the Trial Court.

The respondents had filed a suit claiming that they were owners of 80 Kanals and 10 Marlas of land and the sale deed executed by the appellant in favour of the respondents No. 4 to 11 were illegal to that extent. In the original suit all the defendants including the appellant were ex parte. As mentioned above, the Trial Court partly decreed the suit whereby the sale deed was set aside qua some of the land. The respondents

filed an appeal where again the appellant was ex parte (though some of the subsequent purchasers appeared) and lower Appellate Court noticed that the appellant had made sale on the basis of forged documents and allowed the appeal and thereby decreed the suit fully.

In view of the concurrent finding of fraud and forgery, I have not been persuaded that judgments of the Courts below require any interference. The appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

29.10.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No