

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

RSA No.5068 of 2016 (O&M)

Date of Decision: September 14, 2018

Gurpreet Singh

...Appellant

Versus

Rajinder Singh

...Respondent

CORAM:- HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present: Dr.Naresh Kaushik, Advocate
for the appellant.

HARINDER SINGH SIDHU, J.

This Regular Second Appeal has been filed by the defendant – appellant against the judgment of the Courts below, whereby, the suit of the plaintiff – respondent for declaration to the effect that the plaintiff is co-owner of 2¾ Marlas land from Kothi No.567, New Abadi, Ward No.11, Bhogpur, District Jalandhar and the mutation No.5840 sanctioned in favour of the defendant is null and void, has been decreed.

The plaintiff is the father of the defendant. The case set up in the plaint was that he had purchased 9 Marlas 6 Sq.ft. land, as mentioned in the head note of the plaint in the name of his wife Baldev Kaur and his son – defendant Gurpreet Singh vide registered sale-deed No.76 dated 21.4.2004. The entire sale consideration on the purchase of the property was claimed to have been paid by the plaintiff, who was serving in the Army. At that time, his son was a minor and his wife was a house-wife. It was claimed that the property was purchased by the plaintiff in the name of his wife and son due to love and affection. It was further claimed that he raised construction over the property from his own pocket. The

