

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

RSA No.3864 of 2015 (O&M)

Date of decision : 25.07.2018

Maghar Singh and another

...Appellants

Versus

Gamdoor Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. B.S. Bhalla, Advocate for the appellants.

Mr. N.S. Sodhi, Advocate for the respondents.

ANIL KSHETARPAL, J. (ORAL)

The plaintiffs-appellants are in the Regular Second Appeal against the concurrent findings of fact arrived at by both the Courts below.

The plaintiffs filed a suit for declaration alongwith consequential relief of permanent injunction. The plaintiffs also challenged two sale deeds executed by their father Kehar Singh dated 21.05.1998 and 26.05.1998 on the ground that the property was ancestral coparcenary and belonging to the joint hindu family and, therefore, Kehar Singh was not entitled to sell the property.

Both the Courts below after examining the evidence available on the file have recorded the concurrent findings of fact that the property is not proved to be ancestral coparcenary property. It has come in evidence that Harnam Singh had bequeathed some part of his estate by testament in

favour of Kehar Singh.

In view of the aforesaid concurrent finding of fact which is neither shown to be perverse nor result of mis-reading or non-reading of the evidence, this Court does not find any good ground to interfere.

Regular Second Appeal is dismissed.

25.07.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No