

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

RSA No. 4335 of 2015

Date of decision : 15.03.2018

Siri Ram

...Appellant

versus

Nand Ram and ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Amardeep Sheoran, Advocate
for the appellant.

RITU BAHRI, J.

This regular second appeal is directed against the concurrent findings of facts recorded by both the Courts below whereby the suit of the plaintiff-appellant (herein after to be referred as 'the appellant') has been dismissed.

The suit filed by the appellant was dismissed by both the Courts below on the ground that the appellant has not been able to prove on record that he is owner in possession of the disputed property marked with letters ABCD in the site plan. No documentary evidence has been filed to prove the ownership. The appellant was only relying upon the compromise dated 12.12.1998 which was alleged to be executed in the police station. However, a bare perusal of the compromise shows that there was dispute with respect to wall in between the parties and both parties agreed to demarcate the place. After demarcation, both the parties will settle their claim. A local commissioner was appointed by the orders of the Court in case filed earlier who stated that the suit property is a part and parcel of

Ahata No. 133 and Ghar No. 156. the appellant has not stated that this demarcation has not taken place in his presence. Once no documentary evidence was led by the appellant, he cannot rely upon copy of Khasra Pamaish wherein the respondents were not recorded as the owner of the property.

Accordingly, the concurrent findings of facts recorded by both the Courts below does not require any interference by this Court.

No substantial question of law arises for adjudication by this Court.

The appeal is dismissed.

15.03.2018

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No