

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

RSA No.6493 of 2016(O&M)

Date of decision: 24.8.2018

Surjit Singh

....Appellant

VERSUS

Raghubir Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Rajesh Bhateja, Advocate for the appellant.

REKHA MITTAL, J.(Oral)

The present appeal directs challenge against concurrent findings recorded by the Courts whereby suit for declaration that the plaintiff is owner in possession of plot measuring 4 marla 4 sarsahi, House No.64, detailed in head-note of the plaint situated at village Dhurekot Ransih, District Moga was dismissed by the trial Court and appeal preferred by unsuccessful plaintiff/appellant came to be dismissed by the Additional District Judge, Moga.

The appellant/plaintiff staked his claim of ownership and possession of the suit property on the basis of conveyance deed dated 08.07.1963 executed in favour of his father on the basis of allotment vide Sr. No.64 and the property is situated within the red line of the village. Both the Courts have recorded consistent findings that the appellant/plaintiff has failed to connect the suit property with the conveyance deed dated 08.07.1963 executed in favour of his father. Counsel for the appellant has failed to point out any materials on record to

contend that the judgments passed by the Courts are the result of misrepresentation or ignoring material evidence produced by the appellant to establish identity of the property in question viz-a-viz conveyance deed executed in favour of his father. In this view of the matter, I do not find an error much less perversity in the judgments impugned, warranting intervention.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine. As the appeal has been decided on merits, application for condonation of delay in re-filing the appeal is of academic relevance only. No order as to costs.

AUGUST 24, 2018

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned :

yes/no

Whether reportable :

yes/no