

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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RSA No.6866 of 2016 (O&M)

Date of decision: 26.09.2018

Jasbir Kaur

..... Appellant

Versus

Narinder Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms. Ekta Thakur, Advocate
for the appellant.

ANIL KSHETARPAL, J. (ORAL)

CM-17863-C-2016

Application is allowed and the delay is condoned.

Main Case

Plaintiff-appellant is in the regular second appeal against the concurrent finding of fact arrived at by the Courts below dismissing her suit for declaration claiming that she is exclusive owner of the property on the basis of a Will executed by her father-in-law Balbir Singh who in-turn became owner pursuant to a Will executed by Smt. Kartar Kaur, the original owner. Both the Courts after examining the evidence have found that the Will dated 14.11.1987 has not been proved in accordance with Section 69 of the Evidence Act. Still further, the Courts have found that even the Will dated 20.08.2000 is surrounded by suspicious circumstances which remained unexplained.

Still further, the Courts after examining the evidence have also

found that the Will dated 20.08.2000 is not proved on file.

Although, learned counsel for the appellant made sincere attempt, however, could not draw attention of the Court to any misreading or non-reading of substantive evidence or any perversity in the judgments passed by the Courts below.

In view thereof, there is no scope for interference with the concurrent finding of fact arrived at by the Courts below.

Appeal is dismissed.

26.09.2018
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No