

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

101

**RSA No.698 of 2015 (O&M)
Date of Decision : 05.07.2018**

Manmohan Singh and another

..... Appellants

Versus

Sarwan Singh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr. Gurcharan Dass, Advocate
for the appellants.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of the Courts below decreeing a suit for possession filed by the respondent.

It may be noticed that the respondent is the father of appellant No.1 and father-in-law of appellant No.2. His case was that he had purchased the property in the year 1999 from his father and did not want the appellants to stay there any more.

The appellant No.1 had accepted that his father had purchased the house but it was his case that infact he had also contributed to the purchase price by sending money from time to time. He was not be able to prove this fact and that is why the Courts below decreed the suit.

Learned counsel for the appellants has not been able to show me how the finding of the Courts below to the effect that the appellant No.1 has not been able to prove his contribution can be faulted. Once that is so, the appellants would have no interest in the house.

On 18.08.2017 the following order was passed :-

“On 20.10.2015, learned counsel for the appellants had prayed for and was granted time to produce documents showing that the nature of the property in question was ancestral.

Even after the passage of nearly two years the needful has not been done. Even today, more time is prayed for which in the interest of justice and subject to payment of Rs.5,000/- as costs is granted. The costs be deposited with the High Court Legal Services Committee, Punjab & Haryana High Court, Chandigarh.

Adjourned to 22.02.2018.”

On 05.07.2018 following order was passed :-

“Learned counsel for the appellant seeks adjournment, submitting that appellants could not turn up due to “Bharat Band” call for today, which has affected the transport.

List on 05.07.2018.”

Thereafter also no material was placed on record.

Appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

05.07.2018

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No