

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

**RSA No.1020 of 2017 (O&M)
Date of Decision:11.01.2018**

Jaggi (since deceased) through his LRs

...Appellant

Versus

Bakshi Singh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Mukul Goyal, Advocate for the appellant.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-appellant is in the regular second appeal against the concurrent findings of fact arrived at by the courts below.

The plaintiff claims to be owner of the property on the basis of Will-a testamentary document, whereas the defendants claim that the property was sold to them by their father vide registered sale-deed dated 6.5.2010. The sale was challenged on the ground that the property is a joint Hindu Family coparcenary property.

Both the courts below, after appreciating the evidence available on the file, returned a concurrent finding that the plaintiff has failed to prove that the property is joint Hindu Family coparcenary property. Before this Court, the argument with respect to property being Joint Hindu Family Coparcenary Property has not been pressed.

Learned counsel for the appellant has submitted that the sale consideration of Rs.23 lacs has not been proved.

It is specifically recorded in the registered document, the sale

consideration has been paid. A registered document has a presumption of truth. The plaintiff has failed to prove that no sale consideration was paid.

Taking into consideration these facts, there is no good ground to interfere with the concurrent findings of fact arrived at by the courts below.

Dismissed.

11.01.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No