

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

RSA No.1049 of 2018

Gurnam Singh through LRs

....Appellants

Versus

Banta Singh and Ors.

....Respondents

Date of Order: 17.5.2018

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Rajiv Joshi, Advocate for the appellants.

AMIT RAWAL, J (ORAL)

Appellant-defendant No.1 is aggrieved of the concurrent judgment and decrees passed by both the courts below whereby the suit filed by the plaintiffs-respondents for declaration to the effect that they are owners in possession of land measuring 24 kanal 1 marlas as detailed in head note of the plaint (hereinafter to be referred as “suit land”) by challenging mutation No.2707 sanctioned in favour of defendant Nos.1 to 9 to be illegal, was decreed by the trial Court and the findings affirmed by the lower Appellate Court in appeal.

Learned counsel for the appellants submitted that the mutation was effected in the year 1996 whereas the suit aforesaid was filed in 2007 and therefore the suit was barred by law of limitation but this fact has not been noticed by both the courts below.

I am afraid that the said contention is not sustainable, for, claiming the title, there is no limitation. The revenue record reflected that the mutation was effected without ignoring their claims.

Thus in these circumstances, the law of limitation would not be attracted.

Dismissed.

May 17, 2018
manoj

^(AMIT RAWAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No