

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

RSA No.1604 of 2017 (O&M)

Date of decision:17.12.2018

Avtar Singh and another

... Appellants

Vs.

Gian Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Bhriagu Dutt Sharma, Advocate
for the appellants.

AMIT RAWAL J. (Oral)

The short point involved involved in the present appeal is whether the plaintiffs sons of Gian Singh could lay claim against his father-defendant no.1-Gian Singh by challenging the sale deeds dated 18.08.2000 and 21.12.1999 by establishing that subject matter of the suit property at the hands of Gian Singh was a co-parcenary. The excerpt placed on record established the ownership of Amar Singh i.e. father of Gian Singh and great grandfather of plaintiffs, therefore, they would be third generation in lineage. Had the plaintiffs been able to prove on record the devolution of the property of Natha Singh great grandfather upon Amar Singh, they would have been successful but in the absence of the same, which had already been notice by both the Courts below, the suit was liable to be dismissed and rightly has been dismissed.

No fault can be found with the findings rendered by both the Courts below.

The regular second appeal is dismissed.

(AMIT RAWAL)
JUDGE

December 17, 2018
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No