

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

RSA No.2273 of 2017 (O&M)

Date of decision : 16.07.2018

Pehlad Singh

...Appellant

Versus

Randhir Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajender, Advocate for
Mr. Mahendra Singh Tewatia, Advocate for the appellant.

ANIL KSHETARPAL, J. (ORAL)

CM No.5545-C of 2017

For the reasons stated in the application, which is duly supported by an affidavit, delay of 28 days in filing the present appeal is condoned.

Application is allowed.

Main Case

The plaintiff-appellant is in the Regular Second Appeal against the concurrent findings of fact arrived at by both the Courts below.

The plaintiff has challenged the sale deed executed by his father on 26.12.1986 through General Power of Attorney i.e. defendant No.2. The plaintiff claims that his father was a drunkard and hence under the influence of defendant No.2, the sale deed was executed. The plaintiff

further claims that the property was ancestral in nature and, therefore, it cannot be sold without any legal necessity.

Both the Courts below, on appreciation of the evidence have found that the plaintiff has failed to lead any evidence to prove that the land was ancestral. Still further, the plaintiff has failed to prove that his father was drunkard.

This Court has heard the learned counsel for the appellant at length and with his able assistance gone through the judgment passed by the Courts below.

Learned counsel for the appellant could not point out any perversity, mis-reading or non-reading of the evidence while appreciating the evidence by the Courts below.

In these circumstances, there is no ground to interfere.

Regular Second Appeal is dismissed.

16.07.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No