

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

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**CM-5610-C-2018 in/and
RSA-2026-2018 (O&M)
Date of Decision : 27.07.2018**

Kuldeep Kaur and another

..... Appellants

Versus

Jaswinder Kaur and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Parminder Singh Sekhon, Advocate
for the applicants-appellants.

AJAY TEWARI, J. (Oral)

CM-5610-C-2018

For the reasons recorded, the application is allowed. Delay of 30 days in refiling the appeal is condoned.

RSA-2026-2018 (O&M)

This appeal has been filed against the concurrent judgments of the courts below decreeing a suit filed by the respondent No.1 for partition of 2 marlas as Gair Mumkan Ruri and 16 marlas as Abadi.

It is not disputed that the respondent No.1 was a shareholder. The case of the appellants was that in fact partition had taken place. However, both the courts below noticed that there was no written record of partition and except for the oral testimony of the appellants there was no evidence of the same and that is why the suit was decreed.

Counsel for the appellants has not been able to show me how the findings of the courts below are flawed.

Appeal is dismissed. No costs.

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

July 27, 2018
ashish

(AJAY TEWARI)
JUDGE

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