

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

RSA No. 2652 of 2018 (O&M)

Date of decision : May 04, 2018

Reena

..... Appellant

v.

Sandeep

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Deepak Girotra, Advocate
for the appellant.

Ajay Tewari, J (Oral)

C.M No.6975-C of 2018

For the reasons recorded, this application is allowed and delay
of 76 days in refiling the appeal is condoned.

RSA No.2652 of 2018

This appeal has been filed against the concurrent judgments of
the Courts below dismissing a suit filed by the appellant. The case of the
appellant was that she was the sister of the respondent and challenged the
relinquishment deed made by her father in favour of her brother-respondent
on the ground that the property was ancestral in the hand of her father. The
Courts below dismissed the suit on the grounds; firstly that she was not able
to prove that the property had travelled through four generations, and
secondly since the father of the parties had inherited it through a Will, its
ancestral nature was completely eroded.

As regards the first ground, the Courts below held that the appellant had not placed on record any jamabandi/mutation to show the transfer of property from generation to generation. As regards the Will, counsel for the appellant has not raised any argument regarding its invalidity. In the circumstances, counsel for the appellant has not been able to show me how these findings are incorrect. Consequently, finding no merit this appeal is dismissed.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

May 04, 2018
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No