

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

**RSA-2654-2018 (O&M)
Date of decision : 9.5.2018**

Raghbir Singh and another

..... Appellants.

Versus

**Bakhshish Singh (deceased)
through LRs and others**

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Mahesh Dheer, Advocate for the appellants.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

CM-6986-C-2018

For the reasons mentioned in the application, delay of 55 days in refiling the appeal is condoned.

RSA-2654-2018

Impugned in the present regular second appeal is the judgment dated 16.9.2017, passed by learned Additional District Judge, Gurdaspur, affirming the judgment and decree dated 31.1.2015 passed by learned Civil Judge, (Senior Division), Gurdaspur.

Heard.

Plaintiffs-appellants have filed a suit for possession and have also sought cancellation of the sale deeds dated 9.6.1972; 26.10.1972; 5.7.1972; 20.9.1972; 21.9.1972; 11.10.1974 and 16.5.1975 in favour of various defendants executed by Jai Kaur grandmother of the plaintiffs and

Chanan Kaur, ancestors of the plaintiffs.

Learned counsel for the appellants has argued that father of the plaintiffs was involved in a case regarding of his brother-Ravel Singh in the year 1972 in which he was acquitted in the year 1973. The said sale deeds were got executed under coercion.

I am of the view that during the life time, neither Chanan Kaur nor Jai Kaur challenged those sale deeds. Even the father of the plaintiffs to whom the plaintiffs are claiming inheritance did not challenge those sale deeds even after he was acquitted in the year 1973. Suddenly in the year 2008, plaintiffs woke up and filed a suit for possession. That sale deeds were got executed under coercion. Their story was rightly disbelieved by both the Courts below.

No ground is made out to interfere in the judgment dated 16.9.2017, passed by learned Additional District Judge, Gurdaspur, affirming the judgment and decree dated 31.1.2015 passed by learned Civil Judge, (Senior Division), Gurdaspur.

Dismissed.

(KULDIP SINGH)
JUDGE

9.5.2018

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Whether speaking / reasoned
Whether Reportable:

Yes
No