

RSA-3643 of 2017(O&M)
Date of Decision: 11.07.2018

Gurmail Singh

---Appellant

versus

Nachhattar Singh and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr.Vishal Goel, Advocate
for the appellant**

Rekha Mittal, J.

The present appeal directs challenge against concurrent findings recorded by the courts whereby suit for possession filed by the appellant/plaintiff claiming the suit property to be joint Hindu Family coparcenary property of the parties i.e. appellant/plaintiff and defendants No. 1 and 3 to 8 and further challenge to transfer deed executed by Gurbachan Singh defendant No. 9 in favour of defendants No. 1 and 2 has been dismissed by the trial court vide judgment and decree dated 5.8.2014 that came to be affirmed by the Additional District Judge, Mansa on 19.1.2017

On 27.2.2018, order passed by this Court, reads as follows:-

“Counsel for the appellant intends to rely upon jamabandis Exs.

P1 and P3 to substantiate his contention that suit land was originally owned by Sh. Ram Singh and inherited by three male lineal descendants, therefore, suit land is joint Hindu family

coparcenary property in which the appellant has a birth right being son of Gurbachan Singh grand son of Ram Singh.

Perusal of the jamabandis would reveal that they do not make reference to any of the khasra numbers which are the subject matter of lis, as per decree sheet prepared by the trial court.

Counsel for the appellant prays for a short accommodation to inspect the records in order to examine if he can connect the khasra numbers in lis with khasra numbers of ownership of Ram Singh as per jamabandi Ex. P-3.

Adjourned to 6.4.2018.”

Counsel for the appellant would fairly inform that he has inspected the records but is unable to point out any materials on record to connect khasra numbers of the land in dispute with khasra numbers of ownership of Ram Singh as per jamabandi Ex. P3, to substantiate his plea that suit land was joint Hindu family coparcenary property and the appellant being one of the coparceners is entitled to share in the land. In this view of the matter, nothing survives for consideration of this court.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine. No order as to costs.

(Rekha Mittal)
Judge

11.07.2018

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No