

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

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RSA No.4660 of 2017 (O & M)
Date of Decision:08.05.2018

Maha Singh and others

...Appellants

Versus

Duli Chand now deceased through LRs and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Birender Singh Rana, Senior Advocate with
Mr. Parveen Kaushik, Advocate for the appellants.

ANIL KSHETARPAL, J.(Oral)

Plaintiffs-appellants are in the regular second appeal against the concurrent findings of fact arrived at by the Courts below.

Courts have noticed that in this litigation estate of Fakira, predecessor-in-interest of the parties is in dispute, who died in the year 1896. Succession opened in 1896 on the death of Fakira and mutation was sanctioned in favour of his two sons namely Tulsi and Baje. The present litigation was filed on 10.05.2002 i.e. after a period of 106 years.

The Courts have further relied upon a judgment passed on 22.01.1954 wherein it was recorded that Tulsi was not given in the adoption. Now through this litigation entire effort is to disinherit Tulsi from the estate of Late Sh. Fakira on the ground that Tulsi was given in adoption.

In view of the aforesaid, this Court does not find any good ground to interfere with the concurrent findings of fact.

Regular second appeal is dismissed.

08.05.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No