

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

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RSA No. 4499 of 2018 (O&M)**Date of Decision: August 01, 2018**

Manmohan Singh

...Appellant

Versus

Seeto and another

...Respondents

CORAM:-HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Sandeep Arora, Advocate
for the appellant.

ANIL KSHETARPAL, J. (Oral)**CM No. 11915-C of 2018**

This is an application under Section 151 CPC for
condonation of delay of 88 days in re-filing the appeal.

Delay of 88 days in re-filing the appeal is condoned for the
reason stated in the application.

CM Stands disposed of.

RSA No. 4499 of 2018

[1] Defendant-appellant is in Regular Second Appeal against
concurrent findings of fact arrived at by the Courts below while
decreeing the suit filed by the plaintiff for possession with a
consequential relief of permanent injunction.

[2] Undisputed facts are that Smt. Seeto daughter of Dalip
Singh plaintiff-respondent was owner of the property. Defendants
alleged that they had purchased the property from Smt. Seeto on

18.08.2005. Both the Courts after examining the evidence have found that sale deed is result of impersonation. In fact Amarjit Kaur was presented before the Registration Authorities impersonating her as a Smt. Seeto. Seeto-plaintiff has appeared and examined as PW-1, whereas Amarjit Kaur has been examined as PW-2. Still further when defendant appeared in the witness-box, he admitted that he has never seen Smt. Seeto prior to registration of the sale deed and he cannot recognized Smt. Seeto, who has come present in Court.

[3] Keeping in view the aforesaid facts, although learned counsel for the appellant tried to persuade this Court to take a different view, however, keeping in view the evidence available in the file which clearly proves that the sale deed was result of impersonation, does not find any good ground to interfere with the concurrent finding of fact.

[4] The appeal stands dismissed.

(ANIL KSHETARPAL)
JUDGE

August 01, 2018
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No