

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

RSA No. 5127 of 2017

Date of decision : 20.03.2018

Kulwinder Singh

...Appellant

versus

Amrik Singh and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. D.D. Gupta, Advocate
for the appellant.

RITU BAHRI, J.

This regular second appeal is directed against the concurrent findings of facts recorded by both the Courts below whereby the suit of the plaintiff-appellant (herein after to be referred as 'the appellant') has been dismissed.

The suit filed by the appellant was dismissed by both the Courts below on the ground that defendants-respondents have proved the F.I.R registered against him, which shows the bad intention of the appellant towards the family of the respondents and wants to usurp their suit property. Further agreement to sell dated 30.10.2008 was duly proved by D.W.2 Kewal Singh, which shows that Amrik Singh has alienated his house to Avtar Kaur vide agreement to sell and later on a compromise was also effected in the shape of agreement dated 25.07.2009 between the parties (Ex D2. After agreement to sell, Avtar Kaur applied for allotment of the electricity connection in her name.

Once agreement dated 30.10.2008 executed by respondent No. 1 in favour of respondent No. 2 qua the property in question has been duly proved as Ex 23, the suit of the appellant has rightly been dismissed. The appellant has also admitted the factum of compromise arrived at between the parties and had admitted ownership of respondent No. 2 over the property in question. The witnesses of the appellant had admitted the claim raised by the respondents regarding previous ownership.

Accordingly, the concurrent findings of facts recorded by both the Courts below does not require any interference by this Court.

No substantial question of law arises for adjudication by this Court.

The appeal is dismissed.

20.03.2018
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No