

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No.6046 of 2017 (O&M)

Date of Decision: 04.07.2018

Bachan Kaur (deceased) through LRs

..... Appellant

Versus

Karanjit Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. K.S. Rekhi, Advocate
for the caveator-respondent.

ANIL KSHETARPAL, J. (ORAL)

CM-15844-C-2017

Application is allowed and the delay in re-filing the appeal is
condoned.

Main Case

Plaintiff through her legal heirs is in the regular second appeal
against the judgment passed by the learned First Appellate Court.

Plaintiff claimed that she is owner in possession of the land
measuring 4 kanals. She also prayed for decree of permanent injunction.
She also prayed that in the alternative, decree for possession be passed in
her favour. In fact, the plaintiff had challenged a registered sale deed
executed in favour of defendants on 06.12.2011. It has come in evidence
that the amount of sale consideration which was paid at the time of
registration of the sale deed dated 06.12.2011 was deposited by the

plaintiff-appellant in her bank account on 07.12.2011 i.e. the next day. Still further, Smt. Kulwant Kaur, the marginal witness of the sale deed dated 06.12.2011 has appeared for the defendants as DW-6 and supported the case of the defendants. She is sister-in-law of the plaintiff.

This Court has heard learned counsel for the parties at length. Although, learned counsel for the appellant made sincere attempt to persuade this Court to take a different view, however, keeping in view the findings arrived at by the learned First Appellate Court on examining the evidence available on the file which is neither shown to be perverse nor result of misreading of evidence, this Court does not find any good ground to interfere with the judgment passed by the learned First Appellate Court.

Appeal is dismissed.

04.07.2018

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No