

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No.794 of 2019(O&M)
Date of Decision: 31.01.2019

Megh SinghAppellant
Versus
Sukhdev Singh and anotherRespondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. P.S. Jammu, Advocate
for the appellant.

RAJ MOHAN SINGH, J.(Oral)

[1]. The claim made in the suit would disclose that the plaintiff seeks to restrain other co-sharers from alienating the suit property in any manner.

[2]. It is a settled principle of law on the strength of **Sant Ram Nagina Ram Vs. Daya Ram Nagina Ram, AIR 1961 PB. 528, Bhartu Vs. Ram Sarup, 1981 PLJ 204** and **Ram Chander Vs. Bhim Singh, 2008(3) RCR (Civil) 685** that possession of one of the co-sharers would be deemed to be in possession on behalf of all the co-sharers. Co-sharer cannot be restrained from alienating his/her share. Even if, a co-sharer sells specific khasra number, the same shall be deemed to be sale of share out of joint land till the land is partitioned by metes and bounds.

[3]. No law point worth consideration is involved in the present appeal, nor the findings recorded by the Courts below can be said to be suffered with any perversity. The present appeal is accordingly dismissed in *limine*.

31.01.2019

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**(RAJ MOHAN SINGH)
JUDGE**

**Whether reasoned/speaking
Whether reportable**

**Yes/No
Yes/No**