

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

**RSA No.1285 of 1997(O&M)
Date of Order: 18.03.2019**

Gurpreet Singh

..Appellant

Versus

Jeet Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. A.D.S.Sukhija, Advocate,
for respondents no.3 to 6.

Mr. Harkesh Manuja, Advocate,
for LR's of Jeet Singh, respondent no.1.

ANIL KSHETARPAL, J(Oral)

Plaintiff-appellant is in the regular second appeal against the concurrent findings of fact arrived at by both the courts below.

Plaintiff claiming to be son of late Smt. Gurpal Kaur @ Chhoti filed this suit claiming ownership. Defendants disputed the fact that the plaintiff was having any connection with late Smt. Gurpal Kaur.

Plaintiff failed to produce certificate of birth, voter card, ration card, matriculation certificate to establish that he was son of late Smt. Gurpal Kaur. Even the entry in the register of the Chowkidar of the village was not produced. Thus, the courts below dismissed the suit filed by the plaintiff.

Learned counsel appearing for the appellant has submitted that

there was a trial on account of murder of late Smt. Gurpal Kaur in which her brother Dalip Singh had made a statement that a son was born to late Smt. Gurpal Kaur, Ex.P8. Hence, he submitted that Dalip Singh, the brother of late Smt. Gurpal Kaur proves that plaintiff is her son.

Both the courts have examined this aspect and found that the statement of Dalip Singh has not been proved on the file. Still further, to prove relationship evidence has to be led in accordance with Section 50 of the Indian Evidence Act, 1872. In the present case, plaintiff has miserably failed to lead evidence.

Since on appreciation of evidence, both the courts have recorded a finding which is neither shown to be perverse nor suffering from any error. In view thereof, this court does not find any good ground to interfere.

The regular second appeal is dismissed.

March 18, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No