

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No. 4155 of 2019 (O&M)
Date of decision: 06.09.2019

Hans Raj

...Appellant

V/s.

Haryana Wakf Board

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Balkar Singh, Advocate for the appellant.

RITU BAHRI, J. (Oral).

The plaintiff-Haryana Wakf Board, Ambala Cantt. had filed a suit for possession of property of Masjid Kajian having an area measuring 132.8 square yards bounded as under:-

North : House of Ved Parkash

South : Gali,

East : Gali

West : House of Bisham Dev

The plaintiff has led evidence in form of gazette notification Mark A which shows that at Sr. No. 1416, there is an entry of Mosque Qazian and Haryana Wakf Board is the owner of the said land. The plaintiff has further led evidence application Ex.P3 wherein it has been specifically admitted by the defendant that there is a Mosque in Mohalla Sawaniya, Sadhaura which is under the possession of his father. However as per DW1 Raj Kumar, the witness of the defendant, he deposed in his cross-examination that Ram Lal, father of the defendant was owner of the suit property. However he has not seen any document showing the ownership of Ram Lal over the suit property. The defendant has further referred DW2

Ashok Mehta who has also deposed in his cross examination that he does not know about the ownership of the suit property. He has specifically deposed that the ownership of the suit property is not in his name nor in the name of his father.

Hence, keeping in view the gazette notification which shows that Haryana Wakf Board is the owner of the suit property, the suit has been rightly decreed and the plea of taking the signature of appellant-defendant on application Ex.P3 under pressure by the police authority has been rightly rejected as defendant had not made any complaint to police for getting his signature on application Ex. P3 under pressure.

No merit. Dismissed.

Pending applications also stand dismissed.

(RITU BAHRI)
JUDGE

06.09.2019

Divyanshi

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