

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

RSA No.3405 of 2013 (O&M)

Date of decision : 18.01.2019

Gurjit Singh and others

...Appellants

Versus

Udham Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Malkeet Singh Balianwali, Advocate for the appellants.

Mr. Manish Kumar Singla, Advocate for the respondent.

ANIL KSHETARPAL, J. (ORAL)

Plaintiffs-appellants are in the Regular Second Appeal against the concurrent findings of fact arrived at by both the Courts below dismissing their suit for possession alongwith declaration that they are declared owner to the extent of 1/6th share in the land measuring 358 kanals 3 marlas.

The plaintiffs also challenged the sale deed dated 25.09.1991 executed by defendant No.2 in favour of defendant No.1, on the ground that the property is ancestral coparcenary property.

Both the Courts after appreciation of the evidence, have found that the property is neither ancestral nor coparcenary. The First Appellate Court has already found that the sale was on account of legal necessity.

In view of the aforesaid concurrent findings, which are not shown to be either perverse or suffering from any substantive error, this Court does not find any good ground to interfere.

Regular Second Appeal is dismissed.

18.01.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No