

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.175 of 2016 (O&M)

Date of Decision: February 20, 2019

Malkiat Singh & another

...Appellants

Versus

Surinder Kaur & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Paras Money Goyal, Advocate,
for the appellants.

AMIT RAWAL, J. (Oral)

CM No.578-C of 2016

For the reasons mentioned in the application, which is supported by an affidavit, delay of 4 days in re-filing the appeal is condoned.

CM stands disposed of.

RSA No.175 of 2016

Short point involved in the present Regular Second Appeal is whether a person could be accorded full ownership with regard to Industrial Plot No.418, Phase II, Ram Darbar, Industrial Area, Chandigarh by relying upon the family settlement dated 02.05.2008 being an unregistered documents, the answer is 'No', for, the plaintiffs did not have the pre-existing right with regard to remaining 60%. Even in the family settlement, the plaintiffs have failed to prove the possession with regard to the property. They have also failed to discharge the onus de hors of the fact that the defendants were ex-parte.

For the reasons stated above, I do not find any illegality or perversity in the concurrent findings of fact and law, which are appreciated on oral and documentary evidence. No ground for interference is made out, much less involvement of any substantial question of law. Resultantly the appeal is dismissed.

February 20, 2019
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No