

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

**RSA No.2219 of 2016 (O&M)  
Date of Decision.04.02.2019**

Mohinder Singh and others

...Appellants

Vs

Inder Singh and another

...Respondents

**CORAM:HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. Nakul Sharma, Advocate  
for the appellants.

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**AMIT RAWAL J. (ORAL)**

**C.M. No.5796-C of 2016**

For the reasons stated in the application, delay of 7 days  
in filing of the appeal is condoned.

Application is allowed.

**RSA No.2219 of 2016**

The appellants-defendants have not been successful in  
defending the suit for possession in the trial Court as well as in  
appeal before the lower Appellate Court.

The plaintiff sought possession of 3 marlas out of 1 kanal  
7 marlas of land on the basis of title and the defendants set up plea of  
adverse possession.

Mr. Nakul Sharma, learned counsel appearing on behalf  
of the appellants submitted that documents of plaintiff itself  
established possession of defendants and therefore, adverse  
possession proved to the hilt.

The argument of Mr. Sharma has not been able to cut ice

to bring the case within the parameters of Article 65 of the Limitation Act, as jamabandi for the year 2003-04 and khasra girdawari for Sauni 2009 and Harhi 2009, Ex.P2 and P3 proved that the defendant had taken possession of the suit property forcibly in 2009. Defendants have failed to lead any corroborative evidence to rebut the documentary evidence as referred to above, which carried presumption of truth under Section 44 of the Punjab Land Revenue Act.

In view of such circumstances, I do not find any illegality and perversity in the concurrent finding of fact rendered by the Courts below, much less, no substantial question of law arises for determination by this Court. No ground for interference is made out. Resultantly, the second appeal is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**February 04, 2019**

Pankaj\*

Whether Reasoned/Speaking    Yes

Whether Reportable                No