

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

RSA No.2414 of 2016 (O&M)
Date of Decision.11.01.2019

Surjan Singh

...Appellant

Vs

Harchand Singh and others

...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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

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AMIT RAWAL J. (ORAL)

The short point involved in the present case is that whether the suit filed by the mortgagee for claiming ownership on the basis of efflux of time on failure of the mortgagor to redeem the property mortgaged vide mortgage deed dated 16.5.1959, in the absence of any time line, would be maintainable. The answer to the aforementioned fact, in view of the ratio decidendi culled out by the Hon'ble Supreme Court in **Singh Ram Vs. Sheo Ram 2014 (9) SCC 185** is 'no'. No contrary argument or document has been preferred to form a different opinion than the one already arrived at.

The appeal is also accompanied by an application for condonation of delay of 923 days in refiling of the appeal. The application lacks reasonable and plausible explanation.

In view of the aforementioned facts, I do not find any illegality and perversity in the judgments and decrees 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.

Resutantly, the second appeal is dismissed both on the ground of delay as well as on merits.

(AMIT RAWAL)
JUDGE

January 11, 2019
Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No