

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

**RSA No.3024 of 2013 (O&M)
Date of Decision:06.02.2019**

Amar Singh

...Appellant(s)

Versus

Dushyant @ Des Raj and another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.B.S.Bairagi, Advocate for the appellant.

ANIL KSHETARPAL, J.

The defendant-appellant is in the regular second appeal against the judgment passed by the learned first appellate court, declaring that the sale in favour of defendant is a sale of share from the joint land.

It is undisputed that there were four joint owners of the property. Each was co-sharer. One of the co-sharer Ashwani Kumar-defendant No.2 sold the property to defendant No.1. Thus, the learned first appellate court has correctly declared that all the parties are co-sharer as one co-sharer had no right to sell specific portion of the property particularly when it is undisputedly agricultural land.

In view of the above, there is no ground to interfere. Hence, regular second appeal is dismissed. Pending application(s), if any, shall also stand disposed of, in terms thereof.

06.02.2019
mks

(ANIL KSHETARPAL)
JUDGE

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