

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

RSA No.5521 of 2016 (O&M)
Date of Decision.08.03.2019

Hans Raj ...Appellant

Vs

Naresh Kumar and others ...Respondents

2. **RSA No.5571 of 2016**

Chander Sain and others ...Appellants

Vs

Naresh Kumar and others ...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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

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AMIT RAWAL J. (ORAL)

Learned counsel for the appellant submitted that the appellants-defendants had earlier filed civil suit for claiming declaration of ownership on the premise that defendants had extinguished right of redemption which was dismissed by both the Courts below and the matter reached to this Court in RSA No.3740 of 2011 and other connected cases and this Court vide judgment dated 16.12.2016 had upheld the finding.

The present appeal is arising out of litigation filed by the mortgagors seeking redemption of the suit property. Since there was no time line in the agreement with regard to redemption, the suit can be filed at any point of time as there was no limitation, in view of the ratio decidendi culled out by Hon'ble Supreme Court in **Singh Ram Vs. Sheo Ram 2014 (9) SCC 185** and Full Bench of this Court in

**Ram Kishan and others Vs. Sheo Ram and others 2008(1) RCR
(Civil) 334.**

In view of such circumstances, 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. Resultantly, both appeals are dismissed.

**(AMIT RAWAL)
JUDGE**

March 08, 2019
Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No