

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

**RSA No.2348 of 2017 (O&M)
Date of Decision.22.05.2019**

Dharam Pal and others

...Appellants

Vs

Matadeen (deceased) through LRs

...Respondent

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Sandeep Kumar Yadav, Advocate
for the appellants.

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AMIT RAWAL J. (ORAL)

The short point involved in the present appeal is whether the appellants-plaintiffs could claim possession of the suit property as the respondent-defendant/decreed holder of pre-emption suit did not deposit the entire amount, the answer would be 'NO', for the simple reason that status of the parties as co-sharer rendering into passing of the pre-emption decree was not disputed. If at all money was not deposited and possession has been taken, status of the appellant would be of a co-sharer and the remedy was to seek partition in accordance with law.

In view of such circumstances, I do not find any illegality and perversity in the judgment and decree rendered by the lower Appellate Court, 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**

May 22, 2019
Pankaj*

Whether Reasoned/Speaking Yes/No

Whether Reportable Yes/No