

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

**RSA No.2639 of 2017 (O&M)
Date of Decision.05.04.2019**

Amar Singh	Vs	...Appellant
Rajbala and others		..Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Jagdish Manchanda, Advocate
for the appellant.

-.-

AMIT RAWAL J. (ORAL)

The short point involved in the present appeal is whether the plaintiff in second suit can seek declaration with consequential relief of injunction claiming right by challenging sale deed dated 07.11.2005 when he was unsuccessful in the first round of litigation regarding sanction of two mutations bearing No.2446 dated 29.11.2005 and 2431 dated 31.08.2005, the answer would be 'no'. The mutation was nothing but a necessary consequence of correcting the record of rights on the basis of sale deed. The present suit filed in 2009 is emphatically barred by law of limitation and also hit by provision of Order 2 Rule 2 CPC.

In view of such circumstances, the concurrent finding of fact and law rendered by courts below cannot be said to be suffering from illegality and perversity, 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**

April 05, 2019
Pankaj*

Whether Reasoned/Speaking	Yes
Whether Reportable	No