

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.3537 of 2017 (O&M)

Date of Decision: March 06, 2019

Harinderjit Singh

...Appellant

Versus

Baljeet Kaur & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Kashish Garg, Advocate,
for the appellant.

AMIT RAWAL, J. (Oral)

The short point involved in the present Regular Second Appeal is whether the appellant-defendant can be permitted to defend the suit seeking redemption of the property being time barred in the absence of any time line, the answer is 'No' in view of the law laid down **Singh Ram (D) through L.Rs Versus Sheo Ram & others, 2014 (4) RCR (Civil) 179.**

Paras 21 to 23 of the same read thus:-

“21. We need not multiply reference to other judgments. Reference to above judgments clearly spell out the reasons for conflicting views. In cases where distinction in usufructuary mortgagor’s right under [Section 62](#) of the T.P. Act has been noted, right to redeem has been held to continue till the mortgage money is paid for which there is no time limit while in other cases right to redeem has been held to accrue on the date of mortgage resulting in extinguishment of right of redemption after 30 years.

22. We, thus, hold that special right of usufructuary mortgagor under [Section 62](#) of the T.P. Act to recover possession

