

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

RSA No.3773 of 2017 (O&M)

Date of decision : 22.02.2019

Raj Kumar and another

...Appellants

Versus

Bhaiya Ram and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Shimpy Arman Sharma, Advocate for the appellants.

Mr. N.S. Panwar, Advocate for respondent No.2.

ANIL KSHETARPAL, J. (ORAL)

Plaintiffs-appellants are in the Regular Second Appeal against the concurrent findings of fact arrived at by both the Courts below dismissing their suit for declaration challenging two sale deeds dated 05.03.2001 executed and got registered by them.

It has been claimed by the plaintiffs that the aforesaid registered sale deeds are result of fraud and misrepresentation. It may be noted that the execution of the agreement to sell in favour of defendant No.1 on 03.01.2001 is not in dispute.

Learned counsel for the appellants has submitted that on 01.03.2001, defendants had got a notice issued pointing out certain defects in the title but on 05.03.2001, the sale deeds were executed. She further submits that within four days from the date defects were pointed out,

execution of the sale deeds is not natural.

This Court has considered the submission. However, find no substance therein.

The registered sale deeds have been produced before the Courts below and it is not disputed that the aforesaid sale deeds not only have signatures and thumb impressions of the plaintiffs but also have their computerized photographs printed on the sale deed. The appearance before the Sub-Registrar is not being disputed. A registered sale deed has presumption of correctness, unless established, otherwise. In the present case, the plaintiffs have miserably failed to prove either their plea of fraud or misrepresentation.

Hence, there is no ground to interfere with the concurrent findings of fact arrived at by both the Courts below .

Regular Second Appeal is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the abovesaid judgment.

22.02.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No