

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

RSA No.3762 of 2018 (O&M)

Date of Decision:28.03.2019

Kaka Singh

...Appellant(s)

Versus

Mahender Kumar and others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.A.S.Manaise, Advocate for the appellant.

ANIL KSHETARPAL, J.

The plaintiff-appellant is in the regular second appeal against the concurrent findings of fact arrived at by the courts below.

The plaintiff through the present suit challenged the judgment and decree dated 19.8.2011 and also sought injunction. The plaintiff claimed that the suit land was lying barren and he reclaimed it with his hard work. He further claimed that in the consolidation of holdings, he was allotted the suit land in lieu of his possession.

The defendants No.1 to 13 contested the suit and pleaded that their predecessor purchased the property in a public auction on 07.02.1964 and on payment of the entire sale consideration, he became owner. It was further submitted that the previous suit was filed to correct an error in the revenue record which was ordered.

The Union of India was also impleaded as party and they also supported the case of defendants No.1 to 13.

On appreciation of evidence, both the courts have found that the plaintiff failed to prove any right, title or interest in the property.

This Court has heard the learned counsel for the appellant and with his able assistance gone through the judgments passed by the courts below.

Learned counsel for the appellant although made a sincere effort, however, could not draw attention of the Court to any error and perversity in the judgments passed. He also failed to point out any substantive error in appreciation of evidence.

In view of the above, there is no ground to interfere. Hence, regular second appeal is dismissed. Pending application(s), if any, shall also stand disposed of, in terms thereof.

28.03.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No