

RSA-507-2017 (O&M)

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

RSA-507-2017 (O&M)

Date of decision : 13.02.2019

Jagtar Singh

... Appellant

Versus

Surjit Kaur and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Harpreet S. Rakhra, Advocate
for the appellant.

AMIT RAWAL, J. (ORAL)

The present regular second appeal has arisen out of the concurrent findings of fact, whereby the suit of the respondents-plaintiffs for partition of the suit land, has been decreed by the trial Court and affirmed in appeal. The defendant alleged that the suit was not maintainable as the plaintiffs have relinquished their rights in the suit property and therefore, there was no status of co-owner. The revenue record i.e. Ex.P3, jamabandi, and other judgments brought on record, reflecting the joint ownership, in such circumstances, the Courts below had no other option, but to pass the preliminary decree. There is no limitation qua title. The preliminary decree was passed on 18.09.2012. This Court was not apprised about the outcome of the final decree.

In this view of the matter, I do not find any illegality and perversity in the judgments and decrees of the Courts below, much less, no substantial question of law arises for determination. No ground for

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interference is made out.

Resultantly, the present regular second appeal is dismissed.

13.02.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**