

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

**RSA No. 259 of 2015 (O&M)
Date of Decision: 30.01.2020**

Sarwan Singh

.... Appellant

Versus

Saun Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sumeet Puri, Advocate
for the appellant.

Mr. Mohit Garg, Advocate
for respondents No. 1 to 5.

Mr. S.C.Pathela, Advocate
for respondent No. 13.

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-appellant is in regular second appeal against the concurrent finding of fact arrived at by the Courts below while dismissing the suit filed by him for grant of decree for declaration and permanent injunction.

The Plaintiff had executed 5 registered sale deeds dated 09.09.1993, 04.01.1994, 25.04.1994, 11.08.1994 and 08.09.1994. After a period of 12 years, the plaintiff filed the present suit claiming that the aforesaid sale deeds were got executed from him, by playing fraud. Both the Courts on appreciation of evidence have found that the plaintiff failed to prove the case set up by him. The First Appellate Court has also found that the fraud as alleged, has not been pleaded in accordance with the Order 6 Rule 4 CPC.

Learned counsel for the appellant although made sincere attempt, however, failed to draw attention of the Court to misreading or non-reading of substantive evidence. He also failed to point out any error of law.

Hence, there is no ground to interfere.

Dismissed.

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

(ANIL KSHETARPAL)
JUDGE

30.01.2020
Maninder

Whether speaking/reasoned : Yes
Whether reportable : No