

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.103

RSA-730-2020 (O&M)

Date of decision : 06.09.2021

Pritam Singh

..... Appellant

VERSUS

Ajit Singh @ Gurpreet Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. G.S. Nagra, Advocate, for the appellant.

SUDHIR MITTAL, J. (Oral)

The plaintiff is in second appeal. His suit for declaration of title regarding 1/6th share in two parcels of land in which his late father Fauja Singh was a co-sharer was dismissed by the trial Court and appeal has also failed. The suit was based upon natural succession.

Primarily, the plaintiff had challenged Will dated 29.01.1997 (Ex.D1) on the ground that it gave no valid reason for excluding him from succession. The Courts below have found as a matter of fact that the said Will records that late Fauja Singh had given the plaintiff his share during his life time. The plaintiff has also admitted this in his cross-examination. The Will has not been found to be surrounded by any suspicious circumstances.

Learned counsel for the appellant has attempted to show that the aforementioned findings are perverse and are based upon mis-reading of evidence, but he has not succeeded for doing so.

In view of the above, the appeal has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

06.09.2021

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes / No

Yes/ No