

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 2548 of 2021

Date of Decision: 01.11.2021

Gagandeep Kaur and Others

... Petitioner(s)

Versus

Mohinder Singh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Dinesh Nagar, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The plaintiffs are the petitioners herein. They assail the correctness of the order passed by the District Judge, Hoshiarpur, while accepting the Civil Miscellaneous Appeal against the order passed by the trial Court. The District Judge has vacated the interim order passed by the trial Court in exercise of the powers under Order XXXIX Rule 1 and 2 CPC. Admittedly, the petitioner No.1 (Gagandeep Kaur) has purchased some part of the joint property from Ram Singh and Malkiat Singh vide sale deeds dated 16.08.2019 and 19.08.2019, respectively.

2. The learned counsel representing the petitioners admits that there is a recital with regard to the delivery of possession to the petitioner No.1 (Gagandeep Kaur) in the aforesaid registered sale deeds. The learned counsel contends that the defendants are interfering in her possession.

3. The petitioners claim to be co-sharers in the property. They have an equally efficacious remedy of filing a suit for partition. *Prima facie*,

the First Appellate Court has found that the vendee, for valuable consideration, was put in possession of the property purchased through registered sale deeds. Hence, no ground is made out to interfere and the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

November 01, 2021

“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No