

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

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**RSA-1125 of 1989 (O&M)
Date of decision: 07.09.2022**

Sagar Singh

..Appellant

Versus

Darshan Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjay Majithia, Sr. Advocate, with
Mr. S.S.Shekhawat, Advocate
for the appellant.

Mr. Ravinder Singh, Advocate, for
Mr. Ish Puneet Singh, Advocate
for respondent no.5.

ANIL KSHETARPAL, J(Oral)

While assailing the concurrent findings of fact arrived at by the courts below, defendant no.1 has filed the present appeal.

The plaintiff's suit for possession with respect to 7 kanals and 8 marlas land on the basis of ownership has been decreed.

Defendants contested the suit on the ground that they have become owners by way of adverse possession.

Both the courts have found that defendants have failed to lead evidence to prove as to when defendants' possession became hostile. In the revenue record, the possession of defendant no.1 was initially entered as a tenant. In any case, to prove the plea of adverse possession, defendant no.1 is required to disclose as to when his possession became open, hostile and adverse to the owners. In absence thereof, a mere long possession is not sufficient to confer ownership on the basis of adverse possession.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

September 07, 2022

(ANIL KSHETARPAL)
JUDGE

nt

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>