

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

RSA-3710-1998 (O&M)

Date of decision: 09.03.2022

Gurmej Singh and others

....Appellants

Versus

Ranbir Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. C.B.Goel and
 Mr. Rajinder Goel, Advocates for the appellants
 Mr. Inderjeet Singh, Advocate for respondent no.2

ANIL KSHETARPAL, J (Oral)

The appellants are the plaintiffs in a suit for grant of decree of declaration to the effect that the alienation made by their father was without legal necessity. Both the courts, on appreciation of evidence, have concurrently found that the sale was due to legal necessity and the plaintiffs failed to prove that such sale was not for valid consideration.

Heard learned counsel representing the parties at length and with their able assistance perused the paper book. Learned counsel representing the appellants contends that both the courts have recorded a finding that the sale deed was executed for legal necessity.

It is evident from the reading of the judgment passed by the learned First Appellate Court that the land in question was under a mortgage for an amount of Rs.13,000/-. The total sale consideration was Rs.28,000/-. It has also come on record that Jagir Singh, the vendor required the money for repayment of the mortgage amount, purchase of a diesel engine of a tubewell and the marriage expenses of his niece.

Keeping in view the aforesaid facts, no ground to interfere is made out.

Hence, dismissed.

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

09.03.2022
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No