

In the High Court of Punjab and Haryana, at Chandigarh

Regular Second Appeal No. 9690 of 2018 (O&M)

Date of Decision: 20.04.2022

Paramjit Kaur
... Appellant(s)

Versus

Godho Kaur and Another
... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: None for the appellant.

Anil Kshetarpal, J.

1. Case called thrice.
2. The learned counsel representing the appellant did not come forward to address arguments in this appeal. The position was no different on 06.02.2020. This Court has gone through the paper-book.
3. While assailing the concurrent findings of fact, arrived at by both the Courts below, the plaintiff has filed the present appeal. A small pedigree table is being drawn in order to understand the *inter se* relation between the parties. The pedigree table is reproduced as under:-

Sardara Singh	
Harmail Singh	
Godho Kaur (wife)	
Paramjit Kaur wife of Kuldeep Singh	Bhupinder Singh

4. Smt. Paramjit Kaur daughter of Smt. Godho Kaur filed a suit

injunction. She claims that the property in question is an ancestral co-parcenary property. It is her own case that Smt. Godho Kaur, her mother, inherited the property from Smt. Kishno, her maternal grandmother. It has come in evidence that late Smt. Kishan Kaur had gifted the property in question to her two daughters, namely Smt. Godho Kaur and Smt. Chhoto. Thus, both the Courts below found no merit in the suit.

5. In the grounds of appeal, a reference has been made to the amendment carried out in the year 2005 in the Hindu Succession Act, 1956. In the considered view of this Court, the aforesaid amendment would not advance the case of the appellant particularly when no foundation to that effect has been made. Moreover, it is evident that Smt. Godho Kaur had sold the property to Zora Singh, who, in turn, sold the property to Harmail Singh. The plaintiff has also sought declaration that the sale deed No. 1620 dated 06.07.2009, executed by the defendant No.1 in favour of the defendant No.2, is illegal. However, the plaintiff has failed to prove that fact. Smt. Godho Kaur had transferred the property in favour of her son Bhupinder Singh.

6. In view of the above, no ground is made out to interfere. Hence, the present appeal is dismissed.

7. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

April 20, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No