

2023:PHHC:137228

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

RSA-598-2019 (O&M)
Date of decision: 19.10.2023

Sukhvinder Singh

....Appellant

Versus

Surjit Singh (deceased) through LRs and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Abhinav Sood, Advocate for
Mr. Vikram Singh, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

1. In this Regular Second Appeal, the correctness of the concurrent findings of fact arrived at by the courts below is challenged by the plaintiff. His suit for grant of decree of permanent injunction declaring the gift deed dated 10.04.2012, as illegal, null and void, has been dismissed by both the courts below. The counter claim filed by defendant no.2 has been decreed. The plaintiff claims to be in possession of the property as tenant for the last 30 years. It has come on record that though there is entry in the revenue record reflecting the plaintiff to be in possession as a tenant, however, no agreement or evidence to prove the tenancy has been produced. Thus, the counter claim has been decreed whereas the plaintiff's suit has been dismissed.

2. Learned counsel representing the appellant failed to draw the attention of the Court to any substantive error in reading of the evidence. He has also failed to draw the attention of the Court to any misreading of the evidence. There is no perversity in the judgments passed by the courts below.

3. Hence, dismissed.

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

19.10.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE