

104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-2274-1992 (O & M)
Date of decision: 21.08.2023

RAJBINDER SINGH

...APPELLANT

V/s

SUKHBINDER SINGH

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gurmeet Singh Saini, Advocate for
Mr. S.C. Chhabra, Advocate for the appellant.

Mr. Sandeep Punchhi, Advocate
for respondent No.2.

HARKESH MANUJA J. (ORAL)

By way of present appeal, challenge has been made to the judgments and decrees dated 27.09.1989 and 30.03.1992 passed by the Courts below, whereby, a suit for declaration questioning the validity of sale deed dated 26.05.1987 executed by respondent No.1 in favour of respondent No.2 on account of same being without consideration, illegal, void as well as bad in law for want of legal necessity while claiming the suit property to be ancestral in the hands of respondent No.1, has been dismissed.

2. Both the Courts below concurrently found that out of 32 kanals of land, around 18 kanals 13 marlas of land was proved to be ancestral. It was also recorded that sale deed dated 26.05.1987 was against valid consideration and alienation was done by respondent No.1 for legal necessity as he required money on account of his ill health.

3. At the time of hearing, both the learned counsels submit that despite having made all sincere efforts, they have not been able to contact their

respective clients as they are not responding.

4. In view of the above, it appears that both the parties are not interested in pursuing the present appeal at this belated stage and the same is thus dismissed for non-prosecution. However, the appellant shall be at liberty to seek restoration, in case, any grievance survives.

21.08.2023	(HARKESH MANUJA)
manisha	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No