

3. The case of the plaintiffs is that Manjinder Singh sold the land measuring 02 kanals bearing khasra no.53/18/1 in Village Pandori Waraich, Tehsil and District Amritsar to defendants no.1 and 2 vide registered sale deed dated 29.04.2005 for consideration of Rs.2 lakhs. He was left with no interest in the said land. He died on 26.12.2012 leaving behind plaintiffs no.1 to 5 as his legal heirs. Thereafter, after approaching the Patwari, the plaintiffs (legal heirs) came to know that instead of getting the mutation sanctioned in respect of the land sold by Manjinder Singh to defendants no.1 and 2, the defendants have got mutation no.8216 sanctioned in respect of khasra no.18/12/2(3-11), 19/1(5-16), 19/2(2-4) and 20(8-0). The said land was never sold by Manjinder Singh. The aforesaid khasra numbers were entered subsequently by the defendants in their own hand, in connivance with the officials of Sub-Registrar. The plaintiffs also proved the said fact by producing the deed writer as a prosecution witness.

4. I have heard submissions made by learned counsel for the appellants.

5. The sale deed dated 29.04.2005 was admittedly executed by Manjinder Singh, predecessor-in-interest of the plaintiffs. Manjinder Singh did not challenge the same during his life time. The said sale deed has been challenged after eight years of execution. The plaintiffs are not in possession of the property in dispute. The best evidence for the plaintiffs was to prove the record of the Sub-Registrar. If any change was made after registration, then there would not have been any such change in the said record. A party is required to produce the best evidence and plaintiff is required to stand on his own legs. Both the courts below have recorded a concurrent finding of

fact that addition in the sale deed regarding other khasra numbers was made with mutual consent of the parties at the time of execution of sale deed.

6. In view of the aforesaid, I find no merit in the instant second appeal. The concurrent finding recorded by both the courts below is based on proper appreciation of evidence and does not suffer from any perversity or illegality. No question of law, much less substantial question of law, arises for determination in the instant second appeal. The appeal is without any merit and is accordingly dismissed in limine.

7. Pending applications, if any, shall stand disposed of along with this judgment.

July 17, 2023
monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.