

2023:PHHC:138458

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

RSA-720-2020 (O&M)
Date of decision: 30.10.2023

Tarsem Lal and others

....Appellants

Versus

Mohan Lal and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Sherry K Singla, Advocate for the appellants

ANIL KSHETARPAL, J (Oral)

1. The correctness of the concurrent findings of fact arrived at by the courts below is challenged by the defendant in this Regular Second Appeal. This appeal has been filed alongwith an application for condoning the delay of 645 days in filing the appeal.
2. Learned counsel representing the appellants has been called upon to address arguments on the merits of the case. In this case, the only issue which arises for consideration is, “whether Kaushalia Devi or Ram Asri was the daughter of Sh.Lachhman Dass?” Sh.Mangat Ram and Smt. Dhero son and daughter of Lachhman Dass have categorically stated that the name of their sister is Ram Asri and not Kaushalia Devi. The defendant Bimla Devi daughter of Smt. Kaushalia Devi has not appeared in evidence. Both the courts, on appreciation of evidence, have found that Smt. Kaushalia Devi is not the daughter of Sh.Lachhman Dass.

3. Learned counsel representing the appellant, though made sincere attempts, however, failed to draw the attention of the Court to any substantive documentary evidence to prove that Kaushalia Devi was daughter of Sh.Lachhman Dass. Hence, no ground to interfere is made out.

4. Dismissed.

5. In view of the dismissal of the appeal on merits, no further order is required to be passed on the application for condonation of delay.

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

30.10.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE