

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

2024:PHHC:054817
RSA-990-2020 (O&M)
Date of decision: 23.04.2024

NARENDER SINGH ..Appellant
Versus
UDAY SINGH AND OTHERS ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Suresh Kumar Redhu, Advocate for the appellant.

ANIL KSHETARPAL, J(Oral)

1. In this regular second appeal, the plaintiff assails the concurrent findings of fact arrived at by the Courts below while dismissing his suit for grant of decree of declaration that he is owner in possession of 45 kanal and 2 marlas land and the entry in the revenue record to the effect that the defendants are lessee in possession for a period of 99 years is incorrect. The defendants contested the suit by claiming that they are in possession of the property as a lessee. In fact, it has come on record that Sh. Rajpal, one of the co-owner inducted Sh. Nathi as lessee vide registered lease deed dated 08.11.1978, with respect to 60 kanal land. Thereafter, the defendants are in possession as lessees.
2. The learned counsel representing the appellant submits that the appellant is in possession of 1/3rd share of 60 kanal, however, he has failed to produce any evidence.
3. Hence, no ground to interfere is made out.
4. Dismissed accordingly.
5. All the pending miscellaneous applications, if any, are also disposed of.

April 23rd, 2024 (ANIL KSHETARPAL)
Ay JUDGE
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No