

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-2710-2022 (O&M)
Date of decision : 29.02.2024

LAKHWINDER KUMAR

..... APPELLANT

VERSUS

TARSEM SINGH

..... RESPONDENT

CORAM : HON'BLE MR.JUSTICE ANIL KSHETARPAL

Present :- Mr. Amandeep Singh Manaise, Advocate
for the appellant.

ANIL KSHETARPAL, J. (ORAL)

1. In this second appeal, the defendant assails the correctness of the concurrent findings of facts arrived at by the Court below while decreeing the plaintiff's suit for possession of shop by way of redemption of mortgage. The execution of the registered mortgage for a period of three years commencing from 19.05.2015, with respect to the shop in question is not in dispute between the parties.

2. The appellant while defending the case asserted that the respondent orally promised that he will extend the period. However, the appellant failed to lead any cogent and reliable evidence to prove this fact.

3. In any case the period of mortgage came to an end in May 2018. The respondent filed the suit on 31.05.2018. The appellant has continued in possession for nearly 6 years, even after the expiry of mortgaged period.

4. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.

5. Dismissed.

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

(ANIL KSHETARPAL)
JUDGE

29.02.2024
Anu

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No