

RSA-3030-2023(O&M)

2024:PHHC:010302

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

**RSA-3030-2023(O&M)
Date of decision :24.01.2024**

Arvinder Kaur @ Raminder Kaur ...Appellant

Vs.

Inderjit Singh ...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. P.S. Jammu, Advocate
for the appellant.

Mr. Ashish Panday, Advocate for
Mr. Kuljit Singh Bal, Advocate
for the respondent /caveator.

ANIL KSHETARPAL, J.

1 In this regular second appeal, the defendant assails the correctness of concurrent findings of the fact arrived at by both the Courts below. The respondent is a former husband of the appellant. Both the parties are residing in the United States of America. The plaintiff filed a suit for possession of a double storey house with a consequential relief of permanent injunction. In fact, the appellant was the owner of half share in the aforesaid house. However, she executed a General Power of Attorney on 11.10.2010, in favour of her mother-in-law, namely, Pritam Kaur, who in turn transferred the property in favour of the plaintiff (her husband) vide registered sale deed dated 27.10.2010. The possession was also delivered to the plaintiff. The decree for divorce was granted by the Circuit Court for the county of fairfax (U.S.A.).

2. Both the Courts on appreciation of evidence found that the appellant executed a General Power of Attorney, which enabled Pritam Kaur to execute the sale deed. Thus, the suit filed by the plaintiff was decreed by the trial Court.
3. Learned counsel representing the appellant contends that the power of attorney was not executed to transfer the property in favour of the respondent. On the request of the Court, learned counsel representing the appellant has read the contents of the General Power of Attorney in the open Court. It is evident that the appellant had authorised Smt. Pritam Kaur to transfer, sell or alienate the property in any manner. The power of attorney is registered. No evidence has been led by the appellant to prove that it was executed as a result of coercion induced on her. The parties have now settled their dispute by a decree of divorce.
4. Keeping in view the aforesaid facts and discussion, no ground for interference is made out.
5. Hence dismissed accordingly.

24.01.2024

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Whether speaking/reasoned :
Whether Reportable :

(ANIL KSHETARPAL)
JUDGE

Yes	No
Yes	No