

RSA-5534 of 2016 (O&M)
Date of Order:09.04.2024

Harbhag Singh and others

Versus

..Appellants

Avtar Singh and another

..Respondents

RSA-508 of 2017(O&M)

Avtar Singh

Versus

...Appellant

Harbhag Singh and others

..Respondents

RSA-509 of 2017(O&M)

Avtar Singh

Versus

...Appellant

Harbhag Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jasdeep Singh Gill, Advocate
 for the appellants (in RSA-5534 of 2016)
 for the respondents (in RSA No.508 and 509 of 2017)

 Mr. G.S.Punia, Sr. Advocate, with
 Ms. Harveen Kaur, Advocate
 for the appellant (in RSA No.508 and 509 of 2017)
 for the respondents (in RSA-5534 of 2016)

ANIL KSHETARPAL, J

1. A batch of three connected regular second appeals has come up

for hearing. Regular Second Appeal No.5534 of 2016, has been filed by the

defendants, whereas the remaining two have been filed by the plaintiff.
2. The plaintiff(s) filed a suit for grant of decree of declaration that

by virtue of partition deed dated 06.08.1976, he is the owner in possession of the suit land. The defendants denied the same.

3. Both the courts have held that the deed of partition is not admissible in evidence as it is not registered.

4. The learned counsel representing the defendants states that in the meantime, in the partition proceedings before the revenue authorities, under the Punjab Land Revenue Act, the instrument of partition was issued partitioning the property by metes and bounds. He submits that subsequently the land has been acquired and the parties have already received compensation for the land which has fallen to their share in the instrument of partition.

5. The learned senior counsel representing the respondents (appellants in 508 and 509 of 2017) submits that he has no instructions.

6. Keeping in view the aforesaid development, the appeals are disposed of as infructuous with liberty to the appellants in Regular Second Appeal Nos.508 and 509 of 2017, to file an application for revival, if the facts are otherwise.

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

April 09, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	:YES/NO
Whether reportable	:YES/NO