



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of decision : 04.12.2024

1. RSA-3562-2018 (O&M)

Jaspal Kaur Appellant

versus

Arjun Singh (since deceased) through LR Respondent

2. RSA-4633-2018 (O&M)

Jaspal Kaur Appellant

versus

Arjun Singh (since deceased) through LR Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

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

Mr. Jaswinder Singh, Advocate
for the respondent (through V.C.).

PANKAJ JAIN, J. (Oral)

1. The issue in dispute in both the suits was with respect to execution of gift deed. Arjun Singh-the executant claimed that in fact he intended to execute the sale deed, whereas the beneficiary thereof namely Jaspal Kaur claimed the same to be a gift deed. The two attesting witnesses were examined by Jaspal Kaur. Jasvir Singh appeared as PW-4. Harbans Singh appeared as PW-3. Jasvir Singh-the attesting witness admitted in his cross examination that none of the parties signed in his presence and thus, the Trial Court discarded his



far as other attesting witness namely Harbans Singh is concerned, he did not support the case of the plaintiff and rather claimed that Arjun Singh always intended to execute the sale deed and never wanted to execute gift deed. The same was also evident from the fact that on the stamp papers utilized for execution of the deed, stamp vender made statutory endorsement that the stamp papers were being purchased for execution of sale deed.

2. In view thereof, both the Courts held the issue against Jaspal Kaur dismissing her suit and allowing the suit filed by Arjun Singh.

3. Mr. Guliani has not been able to show any infirmity in the findings recorded by the Courts below. In view of above, present appeals are dismissed.

4. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

5. A photocopy of this order be placed on the file of other connected case.

(PANKAJ JAIN)
JUDGE

04.12.2024

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No