

2024:PHHC:000479

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

RSA-3958-2023 (O&M)
Date of decision: 04.01.2024

Tarsem Kaur

....Appellant

Versus

Gurbachan Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Ashish Nagar, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

CM-14139-C-2023

1. For the reasons stated in the application, delay of 261 days in filing the appeal is condoned.
2. CM stands allowed.

Main case

3. In this Regular Second Appeal, the correctness of the concurrent findings of fact arrived at by the courts below while dismissing her suit for grant of declaration that she is entitled to land measuring 13 kanals 6 marlas land is assailed by the plaintiff. In substance, the plaintiff (appellant) is daughter-in-law of respondent no.1. She claims that the suit property is ancestral joint Hindu property and the sale deed executed by her father-in-law in favour of defendant no.2 is not binding on her rights. Both the courts, on appreciation of evidence, have found that defendant no.1 sold the

property for the legal necessity in order to meet the expenses of the medical treatment.

4. Moreover, the plaintiff while appearing in evidence has admitted that she has got no proof to prove that the suit property is ancestral.

5. Though the learned counsel representing the appellant made sincere attempt, however, failed to draw the attention of the Court to any substantive error or perversity in the judgment passed by the courts below.

6. Hence, dismissed.

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

04.01.2024

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE