



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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RSA-1524-2023 (O&M)
Date of Decision.:13.05.2025

Parmod Kumar**Appellant****Vs.****Kusum Lata (Since Deceased) Through Lr And Others****Respondents****CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present: Mr. Ajit Kumar Sharma, Advocate for
Ms. Shelja Sharma, Advocate
for the appellant.

DEEPAK GUPTA, J. (ORAL)

Defendant No.1 of the case is in this appeal against concurrent findings of the Courts below.

2. Perusal of the paper-book would reveal that one Puran Chand had three sons namely Ashok Kumar, Parmod Kumar and Mohan Lal. Ashok Kumar expired and plaintiffs are his legal heirs. Mohan Lal also expired and defendant Nos.2 to 6 are his legal heirs. Subject-matter of dispute is a house which was admittedly owned by Puran Chand. Plaintiffs claimed suit property on the basis of a Will dated 10.06.1996 (Ex.P4) executed by Puran Chand bequeathing the property in favour of three sons i.e. Ashok Kumar, Parmod Kumar and Mohan Lal in equal share. On the other hand, defendant No.1 Parmod Kumar i.e. appellant herein claimed to be the exclusive owner on the basis of a receipt. Trial Court decreed the suit by holding that Will was duly proved and that defendant had failed to prove his exclusive ownership. The Appellate Court has endorsed the findings.

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3. Assailing the concurrent findings, it is contended by learned counsel for the appellant- defendant No.1 that only appellant is residing in the house in dispute as the other defendants have their separate house. It is also contended that the father of the defendant had given the house in dispute to defendant No.1- appellant.

4. It is conceded by learned counsel that neither any transfer deed nor any Will nor any other document was executed by father of the appellant in his favour. It is also conceded that Will dated 10.06.1996 (Ex.P4) relied by the plaintiff is also in favour of the appellant to the extent of 1/3 share, he also being one of the beneficiary.

5. Having regard to the aforesaid facts and circumstances, this Court does not find any ground to interfere in the concurrent findings of fact as recorded by the Courts below.

No merits. Dismissed.

(DEEPAK GUPTA)
JUDGE

May 13, 2025

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No