



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

RSA-738-2025 (O&M)

Date of decision : 11.03.2025

Devki Devi and others

...Appellants

Vs.

Bhagat Singh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Jigyasa Tanwar, Advocate
for the appellants.

Mr.Sunny K. Singla, Advocate
for the respondents-caveator.

ANIL KSHETARPAL, J. (Oral)

1. The plaintiffs assail the correctness of the judgments passed by the Courts below while dismissing their suit under Order 17 Rule 3 of the Code of Civil Procedure, 1908. The plaintiffs pray for grant of decree of declaration that the sale deeds executed by their co-sharers without partitioning the property are null and void. The plaintiffs were given as many as 13 opportunities to lead evidence, however, they failed to conclude the evidence. Hence, their evidence was closed by the Court order. Subsequently, they filed an application for grant of opportunity to lead evidence, which was allowed and two more opportunities were granted. Still the plaintiffs did not lead evidence. Moreover, a co-sharer is not debarred from selling his share subject to partition.

2. Keeping in view the aforesaid facts, no ground to interfere is made

out.

- 3. Hence, the appeal is dismissed.
- 4. All the pending miscellaneous applications, if any, are also disposed of.

		(ANIL KSHETARPAL)	
		JUDGE	
11.03.2025	Whether speaking/reasoned :	Yes	No
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