



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

118

RSA-2132-2025 (O&M)

Date of Decision :01.07.2025

AMAR SINGH

. . . . APPELLANT

Vs.

KULDEEP KAUR AND OTHERS

. . . . RESPONDENTS

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr.Sunil Chadha, Sr. Advocate, with
Mr.Tara Dutt and Ms.Arashdeep Kaur, Advocates,
for the appellant.

DEEPAK GUPTA, J. (ORAL)

The entire case of the plaintiff-appellant is depending upon the sale deed dated 20.06.1986 whereby Bhag Singh to the extent of 17 marla and Jaswinder Singh to the extent of 8½ marla of the land in dispute are projected to have sold the same to the plaintiff-appellant. Learned counsel contends that after the death of vendors-Jaswinder Singh and Bhag Singh, their legal heirs are claiming the suit land by taking benefit of the fact that mutation on the basis of sale deed dated 20.06.1986 was not sanctioned.

2. Both the Courts below have dismissed the suit.

3. As per the findings returned by the Courts below, the original sale deed dated 20.06.1986 was not produced and only the certified copy thereof was placed on record, which was proved by the Deed-Writer as well as the Registration Clerk.

4. It is conceded by learned Senior counsel for the appellant that none of the attesting witness to the sale deed i.e. Tarlochan Singh and Jagtar Singh have been examined and there is no evidence that any of these witnesses had expired.
5. It is further conceded by learned Senior counsel for the appellant that Jaswinder Singh and Bhag Singh continued to be reflected as owners of the land in dispute in revenue record and after their death, it is their legal heirs, who are recorded to be owners of their share and in joint possession of the land. The suit was filed in 2012 and till then, the entries in the revenue record were never challenged.
6. In view of the aforesaid facts and circumstances, when neither the original sale deed was produced nor any of the attesting witness was examined so as to prove the sale deed dated 20.06.1986, the Courts below have not committed any error in disbelieving the case of the plaintiff-appellant.
7. As such, holding the present appeal to be devoid of any merit, the same is hereby dismissed.

01.07.2025

Vivek

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned	: Yes
Whether reportable	: No