



(111)

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

RSA-2673-2024 (O&M)

Date of decision:- 07.08.2025

Ved Parkash

...Appellant(s)

Versus

Inderjeet and others

...Respondent(s)

CORAM: **HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

Present:- Mr. S.S. Mor, Advocate,
 for the appellant.

* * * *

VIRINDER AGGARWAL, J. (ORAL)

CM-10976-C-2024

For the reasons mentioned therein, the delay of 23 days in filing the appeal is condoned.

The application stands disposed of.

RSA-2673-2024

1. This appeal has been filed by the appellant against the judgement dated 04.07.2024 passed by learned Additional District Judge, Hisar dismissing the appeal preferred by him and upholding the judgement and decree dated 10.07.2018 passed by learned Civil Judge (Junior Division), Hisar vide which the Suit filed by the plaintiffs for declaration of title of the appellant/plaintiff No. 1 (Ved Parkash) in suit property on the basis of a Will dated 11.05.2006 executed by Smt. Sunder Devi was dismissed.

2. It has been contested by respondents-defendants that Subhash Chander, father of defendant No. 1 (Inderjeet) and husband of defendant No. 2 (Savitri Devi) was the owner of the houses as per decree dated 30.05.1989 and Sunder Devi had transferred the houses to

Subhash Chander declaring him owner in possession of the same vide decree dated 30.05.1989. So, at the time of her death, Sunder Devi was no longer owner of the suit property in question.

3. After elaborate trial, learned Civil Judge (Junior Division), Hisar dismissed the suit by recording a finding that Sunder Devi was not the owner of the properties at the time of her death and as such, the same would not pass to her heirs on the basis of the Will propounded by the appellant and the findings recorded by the learned Civil Judge (Junior Division) were upheld in appeal.

4. The decree dated 30.05.1989 was previously challenged by the present appellant by a separate suit which was got dismissed as withdrawn with liberty to file a fresh vide order dated 23.08.2014. Certified copy of the order has been placed on record as Exhibit P-12 in the suit. The appellant has not challenged that judgement and decree. So, in the presence of judgement and decree with regard to the suit property conferring ownership rights upon Subhash Chander, Smt. Sunder Devi was left with no interest and the findings recorded by the learned Courts below are in consonance with the evidence on record.

5. No substantial question(s) of law arise(s).
6. The appeal, accordingly, stands dismissed.
- 7 In view of the above, pending Civil Miscellaneous application(s) stand(s) disposed of.

(VIRINDER AGGARWAL)

JUDGE

07.08.2025

Amodh Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No