



(112) IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

RSA-979-2024 (O&M)

Date of Decision: 05.03.2026

PARAMJIT KAUR

...Appellant

Vs.

GUR AMRIT SINGH

...Respondent

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Jagraj Singh Khiva, Advocate  
for the appellant.

**VIRINDER AGGARWAL, J. (Oral)**

The present regular second appeal has been filed against the judgment and decree dated 29.11.2023 passed by the learned Additional District Judge, Moga, whereby the judgment and decree dated 24.07.2018 passed by the Additional Civil Judge (Senior Division), Moga, has been upheld.

2. Briefly stated, the appellant/plaintiff filed a suit for declaration and permanent injunction, or in the alternative, for possession, claiming inheritance of the property of Paramjit Kaur who is alleged to be the wife of the deceased Amar Singh. The suit was contested by the defendants, who denied the appellant/plaintiff's status as a wife of Amar Singh. It was pleaded that Amar Singh was married to Manjit Kaur and that the defendants were born out of that wedlock. It was further contended that the mutation of inheritance was rightly sanctioned in favor of the defendants. After contest, the learned Additional Civil Judge, Senior Division, Moga, dismissed the suit on the grounds that the appellant/plaintiff failed to prove her marriage with Amar Singh. No legally admissible document in support of the marriage was



produced. During cross-examination, the appellant/plaintiff admitted that Manjit Kaur, the first wife of Amar Singh, was still alive. Further, as per Ex. DW-3/A, Paramjit Kaur is shown to be the wife of Surjit Singh of Village Wareh, Dharamkot, District Moga, in the voter list for the year 2013. The appellant/plaintiff preferred an appeal, which was also dismissed by the learned Additional District Judge, Moga. Both Courts recorded concurrent findings of fact that the appellant/plaintiff failed to prove her marriage with Amar Singh. It was noted that Manjit Kaur, the first wife of Amar Singh, was alive, and that Paramjit Kaur was shown as the wife of Surjit Singh in the voter list (Ex. DW-1/A). Along with the appeal, the appellant/plaintiff filed an application for placing on record Annexure A-1 as additional evidence, alleging it to be a certified copy of the marriage certificate dated 10.04.1987.

3. Learned counsel for the appellant contended that the original marriage certificate was lost and that the copy marked as Mark-A had not been relied upon.

4. Perusal of Annexure A-1 shows that the document is not a certified copy of the marriage certificate, but merely an application moved by the appellant on 21.03.2025, requesting supply of a certified copy of the marriage certificate. No certified copy of the marriage certificate has been placed on record. It is well settled that while anyone can apply for a copy of a document, only the certified copy of such document would be relevant and admissible as evidence. In the absence of such certified document, the application has no merits.

5. In view of the concurrent findings of fact recorded by both the Courts below, and the failure of the appellant/plaintiff to place any legally



admissible proof of marriage on record, no interference is called for. The appellant/plaintiff has failed to substantiate her claim of inheritance or marital status of Amar Singh.

6           Accordingly, the present Regular Second Appeal is **dismissed**. Pending applications, if any, shall also stands disposed of.

(VIRINDER AGGARWAL)  
JUDGE

05.03.2026  
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Whether speaking/reasoned           :       Yes/No  
Whether reportable                    :       Yes/No