

[136] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-3035-2024 (O&M)
Date of Decision : 09.09.2025

Pritam Singh (since deceased)
through his LR ...Appellant

versus

Kishan Singh (since deceased)
through his LRs and othersRespondents

Coram : **HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Ms. Ritu Pathak, Advocate for the appellant.

PANKAJ JAIN, J. (ORAL)

[1] Plaintiff is in regular second appeal.

[2] Plaintiff filed a suit for declaration, claiming himself to be exclusive owner in possession of the property measuring 06 marlas as shown in red colour marked by letters ABCD in the site plan attached to the plaint. Further relief sought is of decree of permanent injunction, restraining defendants from interfering into the peaceful possession of plaintiff by raising construction etc.

[3] The plaintiff in the plaint claimed oral partition dated 27.02.1985 between all the brothers, whereby 08 properties were divided amongst them. The plaintiff further claimed that oral family partition was reduced into writing on 27.03.1985 at Nurmahal.

[4] Both the Courts below have non suited the plaintiff after he failed to prove the family settlement as pleaded. Neither the original document dated 27.03.1985 was brought on record nor any revenue record was produced to show that the alleged partition was reflected in the revenue record.

RSA-3035-2024 (O&M)

-2-

[5] Counsel for the appellant has not been able to dispute the fact that the plaintiff failed to prove writing dated 27.03.1985. The original document never saw light of the day.

[6] In view thereof, this Court does not find any reason to interfere in the second appeal.

[7] Finding no merits in the present appeal. The same is **dismissed**.

[8] All pending miscellaneous application(s), if any, stands *disposed off*.

(PANKAJ JAIN)
JUDGE

09.09.2025

'R. Sharma'

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