



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

RSA No.2647 of 2012 (O&M)

Date of Order:20.02.2025

Sangat Singh

..Appellant

Versus

Darshan Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present:** Mr. Prabhjoyot Singh Chahal, Advocate, for  
Mr. G.S.Nagra, Advocate,  
for the appellant.

Mr. V.K.Kaushal, Advocate,  
for the respondents.

**ANIL KSHETARPAL, JUDGE (Oral)**

1. Defendant no.1 assails the correctness of the concurrent findings of fact arrived at by the courts below while decreeing the plaintiff's suit for grant of decree of declaration that he is owner in possession of the suit property.

2. The plaintiff purchased the suit property by virtue of a sale deed dated 09.07.1980, executed by Sh. Darbara Singh, who was owner of the same.

3. The defendants claim that they have purchased the property from Sh. Bhan Singh, vide sale deed dated 22.10.1996. Sh. Bhan Singh claims title from Sh. Nand Singh, on the basis of Will.

4. Both the courts have found that Sh. Nand Singh was not the



owner of the property, hence Sh. Bhan Singh did not get any ownership. Consequently, he could not transfer any ownership in favour of the defendants.

5. The learned counsel representing the appellant has made the following two submissions:-

(1) In the revenue record, Sh. Bhan Singh was entered as owner but the plaintiff never challenged the aforesaid entries.

(2) The suit filed by the plaintiff was beyond the prescribed period of limitation.

6. This court has considered the submissions of the learned counsel representing the parties.

7. In this case, the plaintiff is owner in possession of the suit property by virtue of a sale deed. He is entitled to file a suit as and when there is threat to his ownership or possession. Mere entry in the revenue record showing Sh. Bhan Singh to be owner would not give rise to a cause of action to the plaintiff to file the suit. The plaintiff is not required to assail the correctness of the revenue entry.

8. With regard to the second submission, it may be noticed that the plaintiff filed the suit as and when cause of action accrued in his favour. The period of limitation will not begin to run from the date of the sale deed or when the entry in revenue record was made.

9. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.

10. Dismissed.



11. All the pending miscellaneous applications, if any, are also disposed of.

**(ANIL KSHETARPAL)**  
**JUDGE**

**February 20, 2025**

**nt**

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