



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No.170 of 2016 (O&M)

Date of Order:21.03.2025

Harbans Kaur and others

.Appellants

Versus

Romesh Kumar and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Sunil Agnihotri, Advocate
for the appellants.**

None for the respondents.

ANIL KSHETARPAL, JUDGE (Oral)

C.M.No.570-C-2016

1. For the reasons mentioned in the application, which is supported by an affidavit, the delay of 306 days in filing the appeal is condoned.

2. CM stands disposed of.

MAIN

3. The plaintiffs assail the correctness of the concurrent findings of fact arrived at by the courts below while dismissing their suit for grant of decree of declaration that they are owners in possession of 24 kanals 12 marlas of land. Alternatively, the plaintiffs pray that they have perfected their title on the aforesaid land by way of adverse possession.

4. It has come on record that the plaintiffs' father never purchased the entire property and in the revenue record he was reflected as co-owner with various other owners. The plaintiffs also failed to prove that they have



perfected their title by way of adverse possession.

5. This Bench has heard the learned counsel representing the appellants at length and with his able assistance perused the paper book.

6. The plaintiff has admitted that no partition of the property took place and his father purchased the share of Sh. Om Parkash but Sh. Sant Ram never purchased any land from Sh. Gurdass Ram. Sh. Gurdass Ram is one of the co-owner as per jamabandi Ex. P5. Jamabandi, Ex.P9, shows that Sh. Sant Ram is in possession as a co-sharer over Khasra no.4/2 (3-9), 9(8-0) and his possession over khasra no.4/12, has been shown as tenant.

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

8 Dismissed.

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

(ANIL KSHETARPAL)
JUDGE

March 21, 2025

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