



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No.2371 of 2022 (O&M)

Date of Order:24.01.2025

Hanuman Prasad

.Appellant

Versus

Ramesh Kumar and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arun K. Vasudeva, Advocate
for the appellant.

ANIL KSHETARPAL, JUDGE (Oral)

1. The correctness of the concurrent findings of fact arrived at by the courts below while passing preliminary decree for partition of the joint property is challenged by defendant no.2.

2. It has been proved that the property was purchased by Smt. Shanti Devi, who was the mother of the plaintiff and defendants. Thus, all the three brothers inherited the property in equal share. Though, the appellant (defendant no.2) claims that the property was purchased by him in the name of his mother, however, he failed to prove that fact.

2. The learned counsel representing the appellant submits that two properties were purchased by the appellant (defendant no.2) but the second property has not been included.

3. This court has considered the submissions of the learned counsel representing the appellant.

4. If the appellant claims that the second property is also joint, then he can always filed a suit for partition.



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

6. Dismissed.

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

(ANIL KSHETARPAL)
JUDGE

January 24, 2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No