



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-2490 of 2019 (O&M)

Date of Order:10.01.2025

Sarup Devi (Deceased) through LRS

.Appellant

Versus

Tej Ram and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikram Singh, Advocate
for the appellant.

ANIL KSHETARPAL, JUDGE (Oral)

1. The correctness of the concurrent findings of fact arrived at by the courts below is assailed by the plaintiff. Her suit for possession with consequential relief of permanent injunction has been dismissed by both the courts below. The plaintiff came to the court claiming to be owner of plot measuring 605 Sq. Yds. vide sale deed 18.02.1985.
2. The defendants contested the suit claiming that they are owners of the respective plots by virtue of various sale deeds.
3. Both the courts have found that the property is part of the joint khewat and the plaintiff can seek partition.
4. This Bench has heard the learned counsel representing the appellant at length and with his able assistance perused the paper book.
5. It is evident from the judgments and decrees passed by the courts below that the plaintiff purchased the plot in an undivided and unpartitioned khewat. Hence, she will be deemed to have purchased share in the undivided property. Hence, the remedy of the plaintiff is to seek



partition.

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

7. Dismissed.

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

(ANIL KSHETARPAL)
JUDGE

January 10, 2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No