



**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

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**RSA-2335-2024 (O&M)**  
**Date of Decision.:19.05.2025**

**Ranjit**

.....Appellant

Vs.

**Smt. Indra Devi @ Indrawati and Another**

.....Respondents

**CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present:- Mr. Ram Kumar Saini, Advocate  
for the appellant.

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**DEEPAK GUPTA, J. (ORAL)**

Suit for declaration and injunction filed by plaintiff Smt. Indra Devi (*respondent herein*) was decreed by the trial Court vide judgment dated 20.11.2018. The appeal filed by contesting defendant Ranjit (*appellant herein*) was dismissed by the first Appellate Court on 06.07.2024.

2. Assailing the aforesaid concurrent findings, it is contended by learned counsel that Courts below have failed to appreciate the evidence on record in right perspective, inasmuch there was no evidence to prove karewa marriage of Smt. Indra Devi- plaintiff with Pema Ram, particularly considering the fact that she was receiving the pension of her husband Akhe Singh.

3. After considering submissions of learned counsel and having perused the paper-book, this Court does not find merit in the appeal.

4. The dispute pertains to estate of Pema Ram @ Prema Ram son of Kalu Ram, who had expired on 28.04.2015. Plaintiff claimed to be entitled to the estate of said Pema Ram @ Prema Ram as his only legal heir being his widow. She further sought declaration that award dated 12.11.2016 passed in National Lok Adalat in Civil Suit No.23-C of 2016 titled



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as “Ranjit versus General Public and Others” was illegal, null and void. As per the case of the plaintiff, she had earlier performed marriage with Akhe Singh son of Mehtab and from that wedlock, two sons and a daughter were born. Akhe Ram died in the year 1992 and then, she performed *Karewa* marriage with Pema Ram on 28.08.1996, as per customs. Both of them lived as husband and wife till the death of Pema Ram @ Prema Ram on 28.04.2015. Her name was reflected as wife in ration card, Aadhar Card, Bank accounts of Pema Ram. She was even appointed as nominee in the Bank accounts by Pema and as such, she was entitled to inherit the entire estate of Pema after his death.

5. The contesting defendant- appellant herein is the brother of Pema, who along with defendant No.2 Smt. Chandrawati got mutation No.254 dated 04.11.2017 sanctioned regarding the land of Kalu Ram by showing him as unmarried and issueless and in collusion with each other also obtained Lok Adalat award dated 12.11.2016.

6. Defendants contested the suit and denied plaintiff to be widow of Pema Ram.

7. Necessary issues were framed. Evidence produced by the parties was taken on record. Both the Courts below found plaintiff Indra Devi to be the widow of Pema @ Prema and as such, the findings of the trial Court decreeing the suit was affirmed by the first Appellate Court.

8. The contention of counsel for the appellant that there was no evidence regarding *Karewa* marriage as PW-1 and PW-2 admitted in their cross-examination that they had not witnessed the *Karewa* marriage and so, they are not reliable, is without any merit. Both PW-1 Prem Singh and PW-Challan Singh testified about the fact that Pema Ram and Indra Devi, after performing krewa marriage were living together since 1996. This is true that they admitted in cross-examination that they had not witnessed the krewa marriage but it has been consistently stated by them that Pema



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Singh and Indra Devi were residing in the same house as husband and wife.

9. Apart from above, Courts below also referred to the testimony of DW-1 Madan Lal, Ex-Sarpanch who had issued the certificate Ex.P4, as per which Indra Devi was the only legal heir of deceased Pema Ram being his widow. The courts below rightly observed that if a man and woman are living together for many years as husband and wife, there would be a presumption in favour of the wedlock in view of the Section 114 of the Evidence Act. Reliance has been place upon following authorities:

- (i) *Kattukandi Edathil Krishnan and anr. v. Kattukandi Edathil Valsan and ors. 2022 (3) R.C.R. (Civil) 172 (SC)*
- (ii) *Shantinath Ramu Danole and anr. v. Jambu Ramu Danole and ors. 1996(2) Apex Court Journal 705*
- (iii) *Dhanulal and ors. v. Ganeshram and ors. (2015) 2 Apex Court Judgments (SC) 2013.*

10. This Court does not find any ground whatsoever warranting any interference in the well-reasoned concurrent findings of facts as recorded by the Courts below, based upon the proper appreciation of evidence, in the absence of any illegality or perversity.

11. As such, holding the present appeal to be devoid of any merit, same is hereby dismissed.

All the miscellaneous application(s), if any, stand disposed of.

**(DEEPAK GUPTA)**  
**JUDGE**

**May 19, 2025**

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No