

**119 CM-7379-C-2023 in/and
RSA-2154-2023 (O&M)**

HUKAM SINGH AND ANR
VS
PREMA AND ORS

Present: Mr. Parveen Kumar, Advocate
for the applicant-appellants.

CM-7379-C-2023

In view of the reasons mentioned in the application, delay of 39 days in filing the appeal is condoned.

The application stands disposed of.

Main Case

Counsel for the appellant submits that from the perusal of the judgment passed by the learned Trial Court, it is evident that as per the revenue record available on the judicial file, both the parties are co-owners in the possession of suit land along with other co-sharers. Counsel for the appellant further submits that the witnesses appearing on behalf of the respondents also admitted in their testimony that the suit land is still joint and has not been partitioned. In the given circumstances, the respondents are having no right to change the nature of the suit property which is being used for the agricultural purpose only. Counsel for the appellants further submits that thus, the impugned judgments passed by the Courts below are not sustainable in the eyes of law.

Notice of motion for 15.02.2024.

22.09.2023

yogesh

**(KARAMJIT SINGH)
JUDGE**