

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 21796 of 2017
(Arising out of SLP(C)No.15532 of 2015)

KULDIP SINGH

Appellant(s)

VERSUS

PARAMJIT KAUR & ORS.

Respondent(s)

O R D E R

Leave granted.

We have heard learned counsel for the parties and perused the record.

The appellant-plaintiff challenged sale deed dated 4th July, 2001 in favour of Kanwar Kultar Singh. The trial court dismissed the suit but the appellate court decreed the same. It was held that the Power of Attorney, based on which the sale deed was executed, was not proved.

The High Court in second appeal reversed the said finding. The fact remains that the original Power of Attorney was not produced by the respondents in spite of making a statement to that effect.

We are of the view that the High Court was not justified in reversing the decree granted by the lower appellate court.

Accordingly, we restore the decree of the lower appellate court, set aside the impugned order and allow this appeal.

.....J.
(ADARSH KUMAR GOEL)

.....J.
(UDAY UMESH LALIT)

New Delhi,
December 12, 2017.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 15532/2015

(Arising out of impugned final judgment and order dated 28-01-2015
in RSA No. 4082/2012 passed by the High Court Of Punjab & Haryana
At Chandigarh)

KULDIP SINGH

Petitioner(s)

VERSUS

PARAMJIT KAUR & ORS.

Respondent(s)

Date : 12-12-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Vipin Gogia, Adv.
Ms. Jaspreet Gogia, AORFor Respondent(s)
Mr. Nar Hari Singh, AORUPON hearing the counsel the Court made the following
O R D E R

Leave granted.

In terms of the signed order, the appeal is allowed.

Pending applications, if any, shall also stand disposed
of.(MAHABIR SINGH)
COURT MASTER(PARVEEN KUMARI PASRICHA)
COURT MASTER

(Signed order is placed on the file)