

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

Civil Revision No.2156 of 2015

Date of decision:26.03.2015

Sumer Singh and others

... Petitioners

versus

Rajesh Kumar and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Sukhvinder Singh Nara, Advocate,
for the petitioners.

K.Kannan, J. (*Oral*)

1. I find no justification at all for an approach made by the defendant-purchaser before this court for assailing the order passed by the trial Judge. The petitioners are aggrieved by two orders passed by the trial Judge: (i) an order closing the side of the defendants when they could not produce the hand-writing expert who was directed to be produced at their own risk; (ii) the court noticed that the defendants had the time to secure appropriate evidence and were taking adjournments from 18.02.2015, 24.02.2015, 10.03.2015 and 12.03.2015. On two of the earlier dates, the court had specifically observed while imposing cost that it shall be their responsibility to produce the evidence.

2. It is a suit for specific performance and the vendor has not himself denied the agreement but the purchaser has set up a plea

that the vendor has colluded with the plaintiff. I will not find any extraordinary circumstance that should compel the court to give any additional opportunities than what has been granted to the petitioners. The order passed closing the side and rejection of their plea for the additional evidence are very well reasoned and I find no illegality for an intervention under Article 227 of the Constitution.

3. The revision petition is dismissed.

(K.KANNAN)
JUDGE

26.03.2015
sanjeev