

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

CR No. 3649 of 2012 (O&M)
Date of decision: 06.04.2015

Jaswinder Kaur and others	versus	... Petitioners
Parneet Kaur		 Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. B.S. Bhalla, Advocate for the petitioners.
None for the respondent.

K.Kannan, J.

The revision is against the order of the Courts below granting the relief of injunction against the defendant from alienating the suit property. This is by way of the interim relief and sought in a suit for specific performance where the plaintiff had stated that he had already paid ₹35,00,000/- to the defendants. The defendants' contention was that the plaintiff was a NRI and the agreement of sale was in respect of the agricultural land and hence the plaintiff could not complete the transaction without some other formalities such as sanction from the Reserve Bank. Both the Court below considered the fact that the plaintiffs had definitely proved the readiness and willingness by showing the presence at Registrar's office at the relevant time and also the fact that there was a proof of payment of large portion of sale consideration. The Courts have reasoned that the issue of whether enforcement would be possible would surely be considered at the time of trial and taking note of the fact that defendants had actually attempted to part with possession to some other persons in defiance of the contractual terms, granted the relief of injunction. I find no error in the orders passed by the Courts below.

The civil revision petition is dismissed with above observations.

06.04.2015
kv

(K.KANNAN)
JUDGE