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

**CR No.4939 of 2015 (O&M)
Date of decision: August 06, 2015**

Smt. Geeta Yadav

.....Petitioner

Versus

Baljeet Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 19.05.2015, whereby, application moved by the respondent for permission to amend the plaint, was allowed.

Learned counsel for the petitioner has submitted that respondent has filed suit for specific performance of agreement to sell dated 29.12.2008. When the evidence of the respondent was going on, respondent moved an application for permission to amend the plaint. By way of amendment, petitioner wants to plead the execution of another agreement to sell dated 14.06.2011 alleged to have been executed between the parties. In fact, respondent merely wants to delay the proceedings by moving the application in question.

In the present case, respondent has filed suit for specific performance of agreement to sell dated 29.12.2008.

During the pendency of the suit, respondent moved an application that initially agreement to sell dated 29.12.2008 was executed between the parties. At that time, petitioner had received the earnest money and possession of the property in question was handed over to the respondent. Sale deed was to be executed on or before 30.06.2011 after receiving the balance sale consideration. However, petitioner showed his inability to execute the said agreement and another agreement to sell dated 14.06.2011 was executed between the parties. The sale deed was to be executed on or before 30.12.2014. Original agreement dated 29.12.2008 was handed over to the petitioner.

The learned trial Court rightly allowed the application moved by the plaintiff for permission to amend the plaint as it would avoid multiplicity of suits.

No ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

August 06, 2015
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