

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

Civil Revision No. 6465-2014
Date of decision : September 4, 2015

Major Singh

....Petitioner

Versus

Deewan Singh and others

....Respondents

CORAM : HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Chetan Bansal, Advocate for
Mr. Manish Bansal, for the petitioner.

Mr.M.S.Kang ,Advocate, for respondent No.1.

Mr. Rishu Mahajan, Advocate for respondent No.2.

Mr. Raj Kumar Garg, Advocate
for respondents No.3 and 4.

K. KANNAN, J. (Oral)

The order already passed is modified to the effect that if the plaintiff has made any payment to fend off the auction brought at the instance of secured creditor, it shall be adjusted against the balance of sale consideration in the manner Section 63 of Contract Act contemplates. The plaintiff will recover the same against the defendant by applying the principle of Quasi Contract under the Indian Contract Act.

The revision is ordered to be modified on the above terms against the defendants No.1 and 2.

**(K.KANNAN)
JUDGE**

04.09.2015

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