

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

VARINDER SINGH
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Punjab & Haryana High Court at
Chandigarh

RSA No. 2052 of 2013 (O&M)

Date of decision : 8.5.2015

Sewa Singh @ Shivaji and others

.... Appellants

versus

Narinder Singh

.... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Sunil Garg, Advocate, for the appellants.

Mr. R. S. Manhas, Advocate, for the respondent.

Rajesh Bindal, J.

Challenge in the present appeal is to the judgments and decrees of the Courts below whereby the suit for permanent injunction filed by respondent-plaintiff restraining the appellants from alienating the property in dispute regarding which an agreement to sell has allegedly been executed in favour of the respondent, was decreed.

At the very outset, learned counsel for the respondent submitted that a separate suit filed by the respondent seeking possession by way of specific performance of agreement to sell was decreed by the trial court on 2.12.2014, which is subject matter of appeal pending before the learned Lower Appellate Court.

As the prayer made by the respondent was to safeguard his interest in the property so that it may not be sold by the appellants to some other party thereby creating third party rights and further the suit for specific performance of agreement to sell filed independently has been decreed in favour of the respondent-vendee, in view of the above development, learned counsel for the appellants submitted that the prayer made in the present appeal has been rendered infructuous.

Ordered accordingly.

8.5.2015

vs

(Rajesh Bindal)
Judge