

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.286 of 2015 (O&M)
Date of Decision.29.09.2015

Karamjit Singh and another

.....Appellants

Versus

Ajit Singh and others

.....Respondents

Present: Mr. S.S. Slar, Advocate
for the appellants.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The defendants No.2 and 3 before the trial Court are the appellants before this Court. The suit for specific performance was laid on the basis of agreement dated 6.11.2006 executed by the 1st defendant for 6 bighas of land at the rate of ₹1.60 lacs per bigha. Earnest money of ₹8,87,500/- had been paid on the agreement and the time for performance was 15.06.2007 for obtaining a sale deed. The plaintiff apprehended an attempt of alienation by the 1st defendant and filed his own suit for injunction on 18.12.2006. The Court ordered injunction on 03.01.2007 but in spite the order of injunction, the 1st defendant purported to have effected the sale deed in favour of the 2nd defendant on 19.01.2007 and the suit came to be instituted both against the vendor as well as the subsequent purchaser contending that the sale in favour of the 2nd defendant was not valid. The Court granted a decree to bind the vendor as well as the subsequent purchaser.

2. I cannot find any defect in such a finding, for, a person who purchased the property during the subsistence of the order of injunction cannot treat himself to be a bona fide purchaser. There is no scope for interference in the judgments of the Courts below.

3. I find nothing substantial arises for consideration in the second appeal. The second appeal is dismissed.

(K. KANNAN)
JUDGE

September 29, 2015
Pankaj*