

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

**RSA No. 3171 of 2015 (O&M)  
Date of decision : 30.07.2015**

Daljit Singh ...Appellant

versus

Rajinder Singh & others ...Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI**

**Present:** Mr. Hardip Singh, Advocate  
for the appellant

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**RITU BAHRI , J.**

This regular second appeal is directed against the concurrent findings of facts recorded by both the Courts below whereby the suit of the plaintiff-appellant (herein after to be referred as 'the appellant') for specific performance was dismissed. However, the suit for alternative relief was passed for recovery of amount of Rs.4,50,000/- from respondent No. 1 with interest @ 12% from the date of agreement i.e 11.10.2004 till the date of decree. The suit was filed on 08.08.2007 and on 10.08.2007, a report was given by D.SP where the statement of the present appellant was recorded (Ex D1)

wherein he admitted that he had given a loan to respondent No. 1 and the agreement to sell dated 11.10.2004 was executed by respondent No. 1 in his favour as security. The appellant has not chosen to file any complaint thereafter that his signatures were obtained on account of undue influence or pressure. Taking into account the said enquiry report, both the Courts below held that the agreement to sell was executed in favour of the appellant by respondent No. 1 as a security, as respondent No. 1 had taken loan from the appellant.

Accordingly, the concurrent findings of facts recorded by both the Courts below does not require any interference by this Court.

No substantial question of law arises for adjudication by this Court.

The appeal is dismissed.

30.07.2015

G Arora

**(RITU BAHRI)**  
**JUDGE**