

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

C.R. No.1523 of 2016

Date of Decision.04.03.2016

Sukhmilap Singh Ratol

.....Petitioner

Vs.

Gurcharan Singh

.....Respondent

Present: Mr. J. S. Brar, Advocate
for the petitioner.

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. It is an unusual petition filed by the plaintiff to complain that the Court has granted what he has sought for in the plaint. The plaintiff has filed a suit for specific performance and also sought for alternative relief of recovery of money. The plaintiff has stated that the defendant has committed fraud by executing the sale subsequent to the agreement in favour of some other person. On the suit filed by the plaintiff, the defendant stated that he is ready and willing to execute the sale deed. The Court has, therefore, directed the plaintiff to take the sale deed by paying balance of consideration. Now the plaintiff contends that he does not want to take the purchase. If he does not want to take the purchase, he may say so in the court, give up his claim for specific performance and seek for adjudication of claim only with reference to return of the money and for damages. What he should be doing before the trial Court is now sought to be done before the revision court. It is untenable.

2. The revision petition is dismissed.

**(K. KANNAN)
JUDGE**

March 04, 2016