

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No. 1802 of 2016
Date of decision : March 10, 2016

Smt. Ramandeep Kaur and another

..... Petitioners

Versus

Shamsher Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Sandeep K Sharma, Advocate
for the petitioner.

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?

Amit Rawal, J (oral).

The petitioner-plaintiff is aggrieved of the dismissal of application in a suit claiming specific performance of oral agreement, in essence, on the basis of receipt, which according to the learned counsel for the petitioner contains terms and conditions of the agreement.

The suit was filed in the year 2012 and is at the stage of plaintiff's evidence. It is admitted position on record that during the pendency of the oral agreement, defendant No.1 has sold the property to subsequent vendee, who is raising construction. Any construction shall be at peril but shall not claim any right, in case the plaintiff fails to prove the agreement in accordance with law. In view of aforesaid observations, I do not find any illegality and perversity in

the impugned order and the same cannot be said to have been passed without jurisdiction as the prayer in the application was not falling within ingredients of Order 39 Rule 1 and 2 CPC. The impugned order is affirmed.

The revision petition is devoid of merits.
Accordingly the same is dismissed.

(AMIT RAWAL)
JUDGE

March 10 , 2016
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