

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

220/1

CR-3638 of 2014

DATE OF DECISION: 11.02.2016.

S.L. Maloo

....Petitioner.

VERSUS

Badle and another

....Respondents.

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. N.D. Achint, Advocate for the petitioner.
Mr. Sudhir Aggarwal, Advocate for respondent No.1.

Shekher Dhawan, J. (Oral)

Learned counsel for the petitioner submits that he does not challenge the order dated 25.04.2014 qua his request for appointment of Local Commissioner which stood declined and his prayer is restricted to framing of two additional issues:

- (A) Whether the defendant is in the possession of the suit land as part performance of the contract on the payment of sale consideration.
- (B) Whether the plaintiff had received the total sale consideration of the land in question from the defendant.

Learned counsel for the petitioner further submits that the additional issues are necessary for the proper adjudication of the matter. Learned counsel for respondent No.1 submits that the proposed issues are covered under issue No.1.

After hearing both the sides this Court is of the view that the proposed additional issues are covered under issue No.1 framed by the Court below and there is no necessity of framing above additional issues.

In view of the above, the present petition stands disposed of.

**(SHEKHER DHAWAN)
JUDGE**

11.02.2016.

komal