

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

C.R. No.652 of 2016

Date of Decision.09.02.2016

Roshan Lal

.....Petitioner

Vs.

Ram Asra Mal (since deceased) through LR's and others

.....Respondents

Present: Mr. Vineet Chaudhary, 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. The plaintiff is aggrieved that an additional issue which he wanted the Court to frame had not framed such an issue. Defendant Nos.6 and 7 are subsequent purchasers of the property and he wanted the issue, therefore, to be framed viz; whether the sale in favour of defendant Nos.6 and 7 is true and valid with burden of proof cast on the defendant. The Court has declined to frame the additional issue.

2. Having regard to the fact that framing of issue is the duty of Court and the Court is bound to frame it to secure a proper adjudication on all relevant issues, I hasten to frame the additional issue dispensing with notice to the respondents which shall be as follows:-

“Whether the sale deed by 1st defendant in favour of defendant Nos.6 and 7 through document dated 02.06.2010 true and valid and the defendant is not a transferee for value without notice of the original contract in favour of the

plaintiff? OPD

3. The trial Court will frame the additional issue and proceed to dispose of the case in accordance with law. The revision petition is disposed of on the above terms.

(K. KANNAN)
JUDGE

February 09, 2016
Pankaj*