

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-A-1256-MA-2014 (O&M)

Date of Decision: January 07, 2016

Surender Singh

.... Applicant

vs.

Sushila and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Shashi Kumar Yadav, Advocate for the applicant.

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

CM-24210-2014

There is delay of 49 days in filing the present application for leave to appeal.

For the reasons mentioned in the application, supported by an affidavit, delay of 49 days in filing the present application for leave to appeal, is condoned subject to all just exception.

Application stands disposed of.

CRM-A-1256-MA-2014

Heard.

The allegations of the complainant are that he had executed Special Attorney in respect of land measuring 60 sq. yards out of 10 marlas land, forming part of Khewat No.213, Khatoni No.217, Rect. No.92, Killa No.22 (8-0), situated at village Ballabgarh, Tehsil Ballabgarh, District Faridabad, in favour of accused No.1 on 05.10.2004. Later on, he cancelled the same on 27.09.2006 registered in the office of Sub Registrar,

New Delhi/Delhi vide document No.13854. However, accused No.1 having received the legal notice, executed sale deed in favour of accused No.2. It is claimed that the complainant has been cheated.

I have heard learned counsel for the applicant and have also carefully gone through the case file.

It comes out that during the preliminary evidence, complainant did not examine himself nor he produced agreement or revocation of Special Power of Attorney. The sale deed dated 02.04.2007 was also not placed on file. Therefore, for insufficient evidence, the complaint was rightly dismissed. As such, there is no illegality or infirmity in the impugned order.

Accordingly, the present application for leave to appeal is dismissed.

January 07, 2016
sarita

(KULDIP SINGH)
JUDGE