

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

CR No. 4499 of 2017

Date of Decision: 14.09.2017

Manohar Lal

...Petitioner

VERSUS

Surinder Kumar and anr.

...Respondents

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. G.S. Pannu, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Petitioner has come up in revision filed under Article 227 of the Constitution of India for setting aside order dated 06.07.2015 passed by learned Civil Judge (Jr. Divn.) Jalalabad (W) whereby application for directing the respondents/defendants to produce the original sale deed has been dismissed.

A bare perusal of impugned order shows that plaintiff/petitioner is seeking to restrain the defendants from using the path in blue colour in the site plan. The case of the petitioner is that as per oral agreement, the street shows in yellow colour was exchange to blue colour and the defendants were bound by the oral agreement.

The application of the petitioner has rightly been dismissed as the plaintiff/petitioner has to prove his case on his own leg by leading evidence, which he has not done and is only relied upon oral agreement.

In view of the above factual position, no ground is made out to interfere in the impugned order.

The petition is dismissed being devoid of any merit.

However, the dismissal of the application will not be taken adversely in the case of the plaintiff.

September 14, 2017
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No