

CR No.4734 of 2016

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.4734 of 2016 (O&M)
Date of decision: 29.05.2018

Jaswinder Singh

...Petitioner

Versus

Jaspreet Kaur

....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kashish Garg, Advocate for the petitioner.

Mr. Deepak Aggarwal, Advocate for the respondent.

ANIL KSHETARPAL, J. (ORAL)

Defendant-petitioner is in the revision petition against the order passed by the learned trial Court framing additional issue i.e. issue No.3-A, which reads as under: -

“Whether the sale deed in dispute is legal and valid and not result of undue influence as alleged” OPP”

Learned counsel for the petitioner has submitted that there are no pleadings to the effect that the sale deed was the result of undue influence. He submits that validity of the sale deed has been challenged. However, there is no pleading of undue influence.

On the other hand learned counsel for the respondent-plaintiff also admits that the word “undue influence” has not been used in the pleadings.

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In view of the aforesaid, the issue No.3-A is modified. The said issue would read as “Whether the sale deed in dispute is legal and valid, as alleged or not? OPP”.

The revision petition is disposed of with the aforesaid modification.

(ANIL KSHETARPAL)
JUDGE

May 29, 2018
Ishwar

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No