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

CR No. 7941 of 2018

Date of Decision: 22.11.2018

Roshan Singh and others

-Petitioners

Vs

Manbir Singh and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashok Tyagi, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (ORAL)

Agreement to sell was executed between the parties on 18.05.2014 and target date for execution of sale deed was fixed as 28.11.2014.

Before the target date, defendants sought to alienate the suit property and that prompted the plaintiffs to file suit for permanent injunction on 28.08.2014.

At that stage, an application under Order 7 Rule 11 CPC was filed for rejection of plaint filed in a suit for permanent injunction.

At a later stage, application under Order 6 Rule 17 CPC seeking to convert suit for permanent injunction to that of specific performance was filed and the same was allowed by the trial Court on 18.09.2015.

The said order was assailed by the petitioners in the High Court in Civil Revision No.7464 of 2015 and the same was dismissed vide order dated 05.11.2015.

Since suit for permanent injunction has already been allowed to be converted into a suit for specific performance, therefore, application under Order 7 Rule 11 CPC has rendered infructuous.

Dismissed.

22.11.2018
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No