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

CRM-M No.2770 of 2018
Date of Decision: 23.01.2018

Dharam Singh

....Petitioner

Vs

State of Punjab and others

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

Petitioner alleges fraud at the instance of private respondents in respect of agreement to sell which was executed between the petitioner and respondent No.4 on 25.03.2015 in respect of 50 acres of land @ Rs.4.5 lacs per acre.

An amount of Rs.32 lacs was allegedly paid by the petitioner towards earnest money to respondent No.4. The date for execution of sale deed was fixed for 10.06.2017 and the same was further extended to 12.06.2017. Respondent No.4 did not perform his part of obligation arising out of bilateral agreement, rather he entered into some agreement with other persons.

Learned counsel for the petitioner by referring to the

aforesaid events submits that though the petitioner can resort to remedy of specific performance but since the respondents have played fraud with him, so both the remedies can go simultaneously.

Notice of motion.

On the asking of Court, Mr. Hittan Nehra, Addl. A.G., Punjab, accepts notice on behalf of respondents No.1 to 3.

In view of nature of order, which this Court proposes to pass there is no necessity of filing any reply, as no order prejudicial to the interest of either party is being passed.

Without meaning anything on the merit of the controversy, this petition is disposed of with a direction to respondent No.3 to look into the matter and take appropriate action in accordance with law.

23.01.2018

jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No