

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

**RSA No.4159 of 2012 (O&M)
Date of Decision:05.12.2018**

Bagga Singh

...Appellant(s)

Versus

Shingara Singh

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Amit Dhawan, Advocate for the appellant.
Mr.Ish Puneet Singh, Advocate for respondent No.1.
Mr.N.K.Banka, DAG, Punjab

ANIL KSHETARPAL, J.

CM-17394-C-2018

Application is allowed. Copies of the judgments passed by the courts below are taken on record.

Main case

The defendant-appellant is in the regular second appeal against the concurrent findings of fact arrived at by the courts below.

On 19.11.2018, learned counsel for the respondent had drawn attention of the Court to the effect that the suit for specific performance filed by the defendant-appellant herein has already been dismissed and the judgment has been affirmed in appeal which has become final.

Learned counsel for the respondent has placed on file a copy of judgments passed by the learned trial court as well as by the learned first appellate court, dismissing the suit for specific performance of the agreement to sell.

Learned counsel for the appellant does not dispute this position.

Since the defendant-appellant has been left with no right, title or interest in the property, therefore, the courts have rightly granted injunction in favour of the plaintiff-respondent.

In view of the above, there is no ground to interfere. Hence, regular second appeal is dismissed. Pending application(s), if any, shall also stand disposed of, in terms thereof.

05.12.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No