

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

**RSA-1105-2016 (O&M)
Date of Decision:14.09.2018**

T.C. Arora

... Appellant

Versus

Gurpreet Kaur

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. N.P. Mittal, Advocate for the Appellant.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

A suit for specific performance filed by the defendant/ respondent Gurpreet Kaur on the strength of an agreement to sell dated 13.08.2004 was partly decreed by the trial Court on 24.08.2012 and whereby the alternate relief for refund of earnest money of Rs.5 lakhs was directed. Two cross appeals arose against the judgment and decree by the trial Court i.e. one at the hands of the vendor seeking main relief of specific performance of contract and the other by defendant/appellant herein against the alternate relief of refund of earnest money that had been directed.

2. Both the appeals stand dismissed in the light of judgment dated 20.07.2015 passed by the learned Additional District Judge, Chandigarh.

3. Resultantly, the defendant/appellant, namely, T.C. Arora is in second appeal before this Court.

4. Learned counsel representing the appellant at the very outset makes a statement that he has instructions not to pursue the appeal and seeks withdrawal of the same.

5. As per statement made by counsel, dismissed as not pressed.

14.09.2018

(TEJINDER SINGH DHINDSA)

harjeet

JUDGE

i) Whether speaking/reasoned?

Yes/No

ii) Whether reportable?

Yes/No