

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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RSA No.1447 of 2016 (O&M)
Date of Decision : 31.08.2018

Arjan Singh

..... Appellant

Versus

Surinder Singh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. H.S.Batth, Advocate
for the appellant.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of the Courts below dismissing a suit for injunction filed by the appellant.

The case of the appellant was that the respondent had entered into an agreement to sell his lease hold rights in an industrial plot and had received full payment thereof and had put the appellant in possession. The appellant had further raised some construction also and he filed the instant suit for injunction restraining the respondent from interfering in his possession or from creating any third party rights.

Both the Courts below held that once the case of the appellant was that the respondent had resiled from the agreement to sell he could have filed a suit for specific performance but a simpliciter suit for injunction could not be filed.

Counsel has not been able to show how this finding is incorrect.

Appeal stands dismissed.

Since the main case has been decided, the pending Civil Miscellaneous Application, if any, also stands disposed of.

**(AJAY TEWARI)
JUDGE**

31.08.2018

Pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No