

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

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**RSA-3633-2016 (O&M)
Date of Decision : 13.3.2018**

Kulwant Singh

....Appellant

VS

Jagjit Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Naresh Kumar Manchanda, Advocate
for the appellant.

AJAY TEWARI, J.(Oral)

At the very outset learned counsel for the appellant states that it was wrongly mentioned that the appellant has died, actually the appellant is alive.

This appeal has been filed against the concurrent judgments of the Courts below dismissing a suit filed by the appellant for specific performance of an agreement to sell dated 22.12.2003.

Brief facts of the case are that the respondent had denied the agreement to sell dated 22.12.2003. The appellant and one marginal witness had appeared. Both the Courts below found that there were many infirmities in the case of the appellant. They found that appellant had no knowledge about the property in dispute. They found that site plan was not as per the ground. They found that neither the appellant knew the name of the typist who got typed the agreement nor that typist

came to depose that respondent had signed the same after going through the contents. The stamp vendor was also not examined. They found that appellant had not proved the source from where he received the money which he paid to the respondent.

After hearing the learned counsel, it cannot be said that the conclusion drawn by the Courts below is so palpably perverse or erroneous so as to justify interference. Consequently, the appeal stands dismissed.

Since the main case has been decided, the pending C.M, if any, also stand disposed of.

13.3.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No