

RSA-2610-2015 (O&M)

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

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**RSA-2610-2015 (O&M)
Date of Decision : 5.2.2018**

PARJINDER SINGH NIJJAR

....APPELLANT

VS

GURDEEP KAUR JOHAL AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

AJAY TEWARI, J.(Oral)

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.

Brief facts of the case are that the appellant had claimed that respondent No.1 being attorney of the respondent Nos. 2 to 4 had entered into agreement to sell on her behalf and on behalf of her principles. The respondents agreed to sell the property in dispute to the appellant @ Rs. 1, 40,000/- per Marla but having backed out the instant suit was filed.

The respondents denied the claim. The Courts below found that the appellant himself did not appear before the Sub-Registrar. On the other hand the Courts below noticed that respondent No.1 had proved that on the specific date he had come from Canada and had in

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fact appeared before the Sub-Registrar on the due date. In these circumstances, the Courts below held that appellant was not ready and willing to execute the sale deed.

Learned counsel is not able to prove me how the appellant can claim that he was ready and willing to execute the sale deed when he even did not appear before the Sub-Registrar on the appointed date.

The appeal stands dismissed.

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

5.2.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No