

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

RSA No.5268 of 2015 (O&M)

Date of Decision:04.12.2018

Satbir Singh

...Appellant(s)

Versus

Rajbir and another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Naveen S.Bhardwaj, Advocate for the appellant.

ANIL KSHETARPAL, J.

The plaintiff-appellant is in the regular second appeal against the concurrent findings of fact arrived at by the courts below, declining to give relief of specific performance of the alleged agreement to sell while ordering refund of the amount along with interest @9% from the date of payment.

Learned counsel for the appellant has read over the agreement which consist of only one sentence that defendant No.1 has received an amount of Rs.78,000/- against land. However, neither particular of land which is agreed to be sold has been given nor extent of the property which is agreed to be sold has been specified. In such circumstances, the courts below have rightly exercised discretion and granted relief of refund alongwith interest.

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

04.12.2018

mks

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No