

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

**RSA-910-2016 (O&M)
Date of Decision:14.09.2018**

Mohinder Singh ... Appellant

Versus

Surjit Singh ... Respondent

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

Present:- Mr. C.L. Sharma, Advocate for the Appellant.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Plaintiff/appellant is in second appeal before this Court having remained unsuccessful in both the Courts below.

Counsel for the appellant has been heard at length and case paper book has been perused.

Briefly, it may be noticed that suit for specific performance on the strength of an agreement to sell dated 22.03.2007 was instituted by the plaintiff/appellant Mohinder Singh against defendant/respondent Surjit Singh and the same was dismissed by the trial Court on 26.04.2013.

A civil appeal having been preferred has met the same fate vide judgment dated 07.08.2015 passed by the learned Additional District Judge, Jalandhar.

Perusal of the judgment passed by the Courts below would reveal that the plaintiff/appellant has been non-suited primarily on the grounds that he has failed to prove the agreement to sell dated 22.03.2007 and has not adduced any evidence to prove his readiness and willingness to perform his part of the contract.

Counsel during the course of arguments has not been able to

point out any perversity or patent infirmity in the view taken by the Courts below in declining to the plaintiff/appellant the relief of specific performance.

No merit.

Dismissed.

14.09.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |