

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

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**RSA No.296 of 2018 (O&M)
Date of decision: 15.01.2018**

Khushi Mohd.

..... Appellant

Versus

Mohd. Balal and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Harsh Goyal, Advocate
for the appellant.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-appellant is in regular second appeal against the concurrent finding of fact arrived at by the Courts below.

Plaintiff filed a suit for specific performance of the agreement to sell (oral) dated 15.04.1999 with a consequential relief of permanent injunction.

Both the Courts have concurrently found that there was no oral agreement to sell between the parties. Plaintiff had also pleaded that he was delivered possession of the property. The Courts have further found that the plaintiff has failed to prove his possession. The Courts have further noticed that the plaintiff during the period of ten years never issued a notice to the defendants calling upon them to execute the sale deed.

In view thereof, there is no scope for interference with the concurrent finding of fact arrived at by the Courts below.

Appeal is dismissed.

**(ANIL KSHETARPAL)
JUDGE**

15.01.2018
Dinesh Bansal

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No