

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

**RSA No.504 of 2017 (O&M)
Date of Order:15.10.2018**

Salwant Singh

..Appellant

Versus

Chain Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Aggarwal, Advocate,
for the appellant.

ANIL KSHETARPAL, J(Oral)

Plaintiff-appellant is in the regular second appeal against the concurrent finding of fact arrived at by both the courts below, while dismissing the suit filed by the plaintiff for possession by way of specific performance of the agreement to sell dated 04.01.2006.

Both the court on appreciation of the evidence have dismissed the suit. Learned first appellate court has found that there is over writing/interpolation in the target date fixed in the agreement to sell.

In fact, 2006 has been over written and interpolated to make it 2008. Still further both the courts have found that out of total sale consideration of Rs.6,36,000/-, Rs.4,80,000/- was paid and the target date for execution and registration of the sale deed was fixed after a period of 2½ years (interpolated) which is not normal. Learned counsel for the appellant has produced a photocopy of the alleged agreement to sell. On careful perusal thereof, it is apparent that 2006 has been converted into 2008 by interpolation.

In view thereof, this court does not find any good ground to interfere with the concurrent findings of fact arrived at by the Courts below.

The regular second appeal is dismissed.

October 15, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No