

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.962 of 2017 (O&M)
Date of Decision: November 20, 2018

Shokat (now deceased) through L.Rs

...Appellant

Versus

Mehmooda (since deceased) through L.Rs

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. R.K.Sharma, Advocate,
for the appellant.

AMIT RAWAL, J. (Oral)

CM No.2168-C of 2017

For the reasons mentioned in the application, which is supported by an affidavit, delay of 257 days in re-filing the appeal is condoned.

CM stands disposed of.

RSA No.962 of 2017

Appellant-plaintiff has not been successful in claiming the declaration and alternative relief, whereby he had sought the direction to defendants to appear before the office of Sub registrar for execution of the sale deed in pursuance of oral agreement. Both the courts below have held the suit to be not maintainable.

The suit of such nature was not maintainable as provisions of the Specific Relief Act envisage remedy of specific performance.

No ground for interference in the concurrent findings is made

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out, much less involvement of any substantial question of law. Resultantly, the appeal is dismissed.

November 20, 2018
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No