

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

113

CR-3410-2019

Date of Decision: 23.05.2019

Rattan Lal

.... Petitioner

Versus

Jaipal Singh

.... Respondent

2.

CR-3431-2019

Sunita @ Savita

.... Petitioner

Versus

Jaipal Singh

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr.S.K.Bishnoi, Advocate
for the petitioner.

KULDIP SINGH, J. (ORAL)

By this common order, I will decide two revision petitions bearing CR Nos. 3410 and 3431 of 2019. For brevity, the facts are being extracted from CR-3410-2019.

Heard.

Petitioner is aggrieved by the order dated 28.02.2019 passed by learned Additional Civil Judge (Sr. Divn.), Kosli, vide which an application for framing the additional issue has been dismissed.

Counsel for the plaintiff has filed a suit for specific performance of the agreement. In the written statement, the defendant has denied the agreement. However, one of the preliminary objection was that the plaintiff

was a counsel for defendant in some land which is mentioned in the present suit and he got signed and obtained thumb impression on blank papers. Now the defendant wants that a specific issue regarding the fiduciary relationship and fraud should be framed.

I am of the view that the plaintiff claimed that defendant voluntarily entered into the agreement whereas the defendant claimed that his signature on blank papers were obtained by the plaintiff who was counsel for the plaintiff. Therefore, the controversy is covered in the issues already framed and no specific issue in this regard is required to be framed.

Dismissed.

A photocopy of this order be placed on the file of other connected case.

May 23, 2019
anju

(KULDIP SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No