

RSA No.3148 of 2016 (O&M)
Date of decision:14.01.2019

Vs.

... Respondents

Present:- Mr. Johan Kumar, Advocate, for the appellant.

The appellant-plaintiff has not been successful in seeking the discretionary relief under Section 20 of Specific Relief Act, 1963 in a suit filed on 11.01.2007 in respect of agreement to sell dated 08.10.2003 and also challenged the sale deed dated 16.09.2005. The stipulated date for execution and registration of the sale deed was fixed as 10.01.2004.

The short point involved in the present appeal is whether the suit filed on 11.01.2007 would be within a period of limitation from the target date, the answer would be 'No' as it is beyond three years.

In such circumstances, the findings of facts and law arrived at by both the Courts below cannot be said to be suffering from illegality and perversity, much less no substantial question of law arises for adjudication of the present appeal.

Resultantly, the regular second appeal is dismissed.

(AMIT RAWAL)
JUDGE

Yes/No
Yes/No