

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA No.2307 of 2018 (O&M)

Date of decision : 08.03.2019

Suresh Rani

...Appellant

Versus

Maan Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Shiv Kumar, Advocate for the appellant.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-appellant is in the Regular Second Appeal against the judgments passed by the Courts below.

Basically, discretion exercised by the Courts in ordering refund of the earnest money alongwith appropriate rate of interest is being assailed in this Court.

Learned Courts below have noted that the plaintiff has not appeared in evidence. The suit was filed after a period of 2 ½ years and by that time, the prices of the land had shot up and the property has already been sold to respondent No.2.

The discretion exercised is in accordance with well settled judicial principles.

Learned counsel for the appellant although made sincere attempt, however, could not establish that the judgments passed by the Courts below are result of mis-reading or non-reading of evidence or the discretion exercised is not in accordance with law.

Hence, there is no ground to interfere.

Regular Second Appeal is dismissed.

08.03.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No