

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

**RSA No.72 of 2018 (O&M)
Date of Order:15.01.2019**

Joginder Kaur

..Appellant

Versus

Charan Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.S.Nagra, Advocate,
for the appellant.

ANIL KSHETARPAL, J(Oral)

Defendant no.1-appellant is in the regular second appeal against the concurrent findings of fact arrived at by both the courts below while ordering refund of earnest money paid to the defendant pursuant to agreement to sell dated 23.09.2011. Execution of the agreement to sell and receipt of earnest money has been found to have been proved rather admitted in the written statement.

In such circumstances, the decree for refund of earnest money against defendant no.1 who has received the amount cannot be interfered.

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.

**January 15, 2019
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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No