

Sr.No.455
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA-1566-1990 (O&M)
Date of Decision: 04.02.2020

PARAMJIT SINGH

... Appellant

Versus

ARJUN SINGH AND ANR.

...Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Sanjay Mittal, Advocate
for the appellant.

Mr.Rajiv Dhawan, Advocate
for respondent No.1.

Mr.Hitesh Malik, Advocate with
Ms.Nupur Choudhary, Advocate
for the respondent No.2.

ARUN MONGA, J.(ORAL)

1. Challenge herein is to the judgments dated 21.11.1987 and 07.02.1990 passed by the trial court and First Appellate Court respectively.

2. Suit filed by plaintiff for possession through specific performance of contract of sale dated 12.09.1980 was dismissed and alternative prayer for recovery of Rs.9,000/- was allowed vide judgment dated 21.11.1987. Plaintiff filed appeal against the judgment dated 21.11.1987 and learned First Appellate court upheld the decision of the trial court. The appeal filed by the plaintiff-appellant was dismissed accordingly vide judgment dated 07.02.1990.

3. Learned counsel for the respondents submit that this case is squarely covered by the judgment dated 08.03.2017

passed by this Court in RSA-1527-1989 and facts of the both appeals are same. Similar relief sought for by the appellant has already been declined vide judgment dated 08.03.2017 passed in RSA-1527-1989 and orders passed by the courts below were upheld.

4. This factual position is not disputed by the learned counsel for the appellant.

5. In the light of the similarity projected by the learned counsel for the parties, and in view of judgment dated 08.03.2017 passed in RSA-1527-1989, the present appeal also stands dismissed.

04.02.2020

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(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No