

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

108

**CR-4960 of 2017(O&M)
Date of decision: 18.07.2022**

Sadhu Singh

...Petitioner

Versus

Bant Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajesh Bhatheja, Advocate, for the petitioner.

ANIL KSHETARPAL, J (Oral)

The petitioner herein is a plaintiff in a suit for grant of possession by way of specific performance of the agreement to sell.

On appreciation of the pleadings, the trial court culled out the following issues:-

- “1. Whether the defendant entered into an agreement to sell dated 05.07.2011 to sell the suit land and received Rs.6,00,000/- as earnest money and agreed to execute the sale deed by 4.1.2014 ?OPP
2. Whether the plaintiff is entitled to Specific performance of agreement to sell as prayed for?OPP
3. Whether the plaintiff remained ready and willing and is still and willing to perform his part of the contract?OPP
4. Whether in the alternative, plaintiff is entitled to recover Rs.12,00,000/- from the defendant?OPP
5. Whether the plaintiff is entitled to consequential relief of permanent injunction as prayed for?OPP
6. Whether the suit of the plaintiff is not maintainable?OPD
7. Relief.”

After the plaintiff had concluded his evidence and the defendant began his evidence. The plaintiff filed an application for permitting him to examine the Handwriting and Finger Print Expert in order to prove the signatures of the defendant on the agreement to sell dated 05.07.2011.

The trial court has dismissed the application.

Once the defendant has begun leading evidence, the application on behalf of the plaintiff was not maintainable. After the defendant concludes his evidence, the plaintiff shall be at liberty to file an appropriate application which shall be decided in accordance with law.

In view thereof, the revision petition is disposed of with liberty to the plaintiff to file an application, in accordance with law.

All the pending miscellaneous applications, if any, are also disposed of.

July 18, 2022
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No