101 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA-22-1990 (O&M)
Date of decision: 21.09.2022

Fakir Singh

....Appellant

Versus

Pritam Kaur and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjeev Sharma, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

While assailing the concurrent findings of fact, arrived at by the courts below, the plaintiff has filed the present appeal. Both the courts, after appreciating the evidence, have refused to grant decree for specific performance of the agreement to sell, however, granted alternative relief of refund of Rs.2500/-. The alleged agreement to sell was executed on 29.05.1984. Now, 38 years have elapsed since the execution. Both the courts have exercised discretion, which is neither arbitrary or not in accordance with law.

Hence, no ground to interfere is made out.

Dismissed.

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

21.09.2022 **(ANIL KSHETARPAL)**
rekha **JUDGE**
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

REKHA SIHAG
2022.09.23 11:40
I attest to the accuracy and
integrity of this document
Chandigarh