

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 4747 of 2019 (O&M)

Date of Decision: 31.05.2022

Gaurav Pahwa

... Petitioner(s)

Versus

Yogeshwar Nand alias Yogesh Nagpal

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Ms. Ishita Jain, Advocate
for Mr. Namit Khurana, Advocate
for the petitioner(s).

Mr. Abhinav Sood, Advocate
for the respondent.

Anil Kshetarpal, J.

1. The plaintiff assails the correctness of the orders passed by both the Courts below while rejecting the plaint in a suit filed for grant of decree of possession by way of specific performance of the contract. As per the terms of the contract, the contract could be enforced only after the tenants vacated the premises.

2. During the pendency of this revision petition, the tenants are stated to have already vacated the property agreed to be sold.

3. Keeping in view the aforesaid facts, the present revision petition is allowed and the orders, under challenge, are set aside. The trial Court shall re-decide the application under Order VII Rule 11 CPC. The parties, through their learned counsel, are directed to appear before the trial Court on 11.07.2022.

(Anil Kshetarpal)
Judge

May 31, 2022

"DK"

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No