

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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2024:PHHC:063229

CR-6067-2022
Date of decision: 07.05.2024

VIJAY KALRA AND ANR ..Petitioners

Versus

AMITA JAIN AND OTHERS ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Nitin Jain, Advocate
for respondent No.1 and 2.

ANIL KSHETARPAL, J(Oral)

1. The petitioners before this court are the defendants in a suit for specific performance of the agreement to sell. They have filed the present revision petition against the order passed by the trial Court refusing to recall PW-6 Sh. Raj Kumar in the witness-box for further cross-examination. The correctness of such order is challenged in this revision petition.
2. The learned counsel representing the petitioners submits that Sh. Raj Kumar has stated that he has not signed any other agreement to sell, whereas, the defendants have discovered that Sh. Raj Kumar has signed as witness, the agreements to sell dated 02.09.2017 and 30.07.2018.
3. This Court has considered the submissions of the learned counsel representing the parties.
4. The trial Court has already observed that the aforesaid witness has been cross-examined at length running into 23 pages by the learned counsel representing the defendants.

5. Moreover, the trial Court has observed that it shall be open to the defendants to prove the agreements to sell dated 02.09.2017 and 30.07.2018.
6. Keeping in view the aforesaid facts, no ground to interfere is made out.
7. Dismissed accordingly.
8. All the pending miscellaneous applications, if any, are also disposed of.

May 07th, 2024
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(ANIL KSHETARPAL)
JUDGE

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