

CR-7591-2023

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2026:PHHC:057215



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-7591-2023

Date of decision : 16.04.2026

Karaj Singh

... Petitioner

Versus

Balwinder Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Sunny K. Singla, Advocate
for the petitioner.

Mr. Akshay Jindal, Senior Advocate with
Mr.Bhavya Vats, Advocate
for respondent no.2.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India against the impugned order dated 02.11.2023 (Annexure P-4) passed by the Civil Judge (Jr.Div.), Malerkotla.
2. On 07.04.2026, this Court was pleased to pass the following order:-

*“Present:- Mr. Navdeep Jain, Advocate for
Mr. Sunny K. Singla, Advocate
for the petitioner.*

*Mr. Akshay Jindal, Senior Advocate, with
Ms. Amyia Malhotra, Advocate
for the respondent.*

Learned counsel for the petitioner has submitted that in

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para 4 of the plaint, it has been specifically mentioned that at the spot the defendant has not handed over the possession of the disputed land to the plaintiff but as per the agreement to sell dated 09.09.2015, it was mentioned that the defendant would hand over the possession. It is submitted that thus as per the case of the plaintiff, he is not in possession of the property and has further submitted that his case is covered by the judgment of the Co-ordinate Bench of this Court in case titled as "M/s Bhardwaj and Company Vs. Sarvesh Kumar Jindal and others", passed in Civil Revision No.7022 of 2023, decided on 22.11.2023.

Learned senior counsel for the respondent prays for a short adjournment to get instructions in the matter.

Adjourned to 16.04.2026.

To be taken up after the urgent list.

April 07, 2026"

3. Learned senior counsel for respondent no.2 along with his assisting counsel, on instructions from respondent no.2, who is present in the Court, has submitted that in case the petitioner is ready to make the statement that he is not in possession of the suit property, then, he has no objection in case the impugned order is set aside but the respondent no.2 be granted liberty to raise the plea of the agreement to sell being under valued as raised in the preliminary objection, during the course of trial.

4. Learned counsel for the petitioner has submitted that he has no objection to the said course of action.

5. Keeping in view the fair stand taken by the learned counsel for the petitioner as well as learned senior counsel for respondent no.2, the present revision petition is disposed of with the following observations / directions:-

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- i) The impugned order is set aside. The petitioner would be bound by the statement made before this Court that he is not in possession of the property in question.
- ii) It would be open to the respondents to pursue their plea taken in the written statement with respect to the alleged agreement to sell dated 09.09.2015 being under valued, during the course of trial and in case the said objection is taken, it would be open to both the parties to raise all pleas in accordance with law and the said aspect would be adjudicated at the time of final adjudication by the trial Court.

(VIKAS BAHL)
JUDGE

April 16, 2026.
Davinder Kumar

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