

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.10499 OF 2017

(Arising out of S.L.P. (C) No.27726 of 2014)

Parmal Singh

Appellant(s)

Versus

Kulvir Lal (Dead) thr. Lrs.
and Another

Respondent(s)

O R D E R

Leave granted.

Heard Mr. Rakesh Khanna, learned senior counsel for the appellant and Mr. Huzefa Ahmadi, learned senior counsel for the respondents.

Having heard learned counsel for the parties, we are of the considered opinion that there is no point in dealing with the application for amendment preferred by the appellant that has been rejected. There is no dispute that the appellant had given an advance of Rs.2,30,000/- (Rupees two lakhs thirty thousand only) to the respondent for the property which has a specific description in the agreement. The amendment is sought to change the description as the Haryana Urban Development Authority allotted a different plot in favour of the respondents. In our considered view, the amendment would not help the appellant.

Regard being had to the totality of facts and circumstances, we are of the considered opinion that the cause of justice would be best sub-served if the respondents pay the principal amount with 15% interest from the date of the filing of the suit, within a period of three months from today. On such payment being made, the civil suit pending before the parties, shall stand disposed of.

The civil appeal is, accordingly, disposed of. There shall be no order as to costs.

.....J.
[Dipak Misra]

.....J.
[A.M. Khanwilkar]

New Delhi,
August 14, 2017.

ITEM NO.9

COURT NO.2

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.27726/2014

(Arising out of impugned final judgment and order dated 11-08-2014 in CR No. 6988/2012 passed by the High Court of Punjab & Haryana at Chandigarh)

PARMAL SINGH

Petitioner(s)

VERSUS

KULVIR LAL (D) THR. LRS & ANR.

Respondent(s)

Date : 14-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. Rakesh Kumar Khanna, Sr. Adv.
Mr. Garvesh Kabra, AOR

For Respondent(s) Mr. Huzefa Ahmadi, Sr. Adv.
Mr. D.S. Chadha, Adv.
Mr. Vikash Singh, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar

(Signed order is placed on the file)