

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 7350 OF 2001

SAWINDER SINGH

Appellant (s)

VERSUS

RAVEL SINGH

Respondent(s)

(With office report)

Date: 29/11/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. MATHUR
HON'BLE MR. JUSTICE MARKANDEY KATJU

For Appellant(s)

Mr. Vipin Gogia, Adv.
Ms. Jaspreet Gogia, Adv.
Mr. K.K. Gogna, Adv.
Mr. G.P.Singh, Adv.

For Respondent(s)

Mr. Manoj Swarup, Adv.

UPON hearing counsel the Court made the following
ORDER

The appeal is dismissed in terms of the signed order.

(Sukhbir Paul Kaur)
Court Master

(Vijay Dhawan)
Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7350 OF 2001

SAWINDER SINGH

Appellant(s)

Versus

RAVEL SINGH

Respondent(s)

ORDER

We have heard learned counsel for the parties.

This appeal by special leave is directed against the judgment and order dated 28th March, 2000 passed by the High Court of Punjab and Haryana at Chandigarh in R.S.A. No.1068 of 1999 whereby the High Court allowed the R.S.A. filed by the

Respondent.

We have perused the order passed by the High Court. It is true that the High Court has not formulated a substantial question of law which it ought to have formulated. After going through the evidence the High Court decided the basic principle that there was no issue that the appellant has entered into an agreement to purchase the land in question prior to the agreement of plaintiff-respondent. Had that point been pleaded somewhere in the written statement we would have remanded this matter back to the High Court, but looking to the fact that there is no whisper about the agreement of sale dated 27th

...2/-

-2-

April, 1992 we do not think it advisable to remit this case back to the High Court for not framing the question of law.

Having regard to the facts and circumstances of the case, we are not inclined to interfere in this appeal as the view taken by the High Court appears to be correct on the basis of said principle.

The appeal is accordingly, dismissed.

No order as to costs.

.....J.
(A.K.MATHUR)

.....J.
(MARKANDEY KATJU)

New Delhi,
November 29, 2007.