



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

123

CR-3000-2025

Date of Decision.:28.08.2025

Manik Gupta

Petitioner

Vs.

Madhu Verma and Another

Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

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

DEEPAK GUPTA, J. (ORAL)

Based upon agreement to sell dated 24.10.2017 and 20.01.2018 a suit for seeking a decree of specific performance was filed by the petitioner bearing Civil Suit No.3412 of 2018 before learned Civil Judge (Junior Division), Ludhiana. In the written statement filed by the defendants it was alleged that plaintiff had misused the blank signed stamp paper of defendant No.1 so as to convert the same into the alleged agreement to sell dated 24.10.2017 and thus the said agreement was the result of fraud, cheating and fabrication.

2. Necessary issues were framed by the Court on 24.11.2021 and one of the issue as under:

“Whether the plaintiff is entitled for relief of specific performance of agreements to sell dated 24.10.2017 and 20.01.2018 regarding the suit property? OPP”

3. The last paragraph of the order would reveal that it was noticed by the Court that no other issue arises, pressed or claimed upon by the parties.

4. Concededly plaintiff i.e. petitioner herein has closed his evidence on 17.01.2025 and when the case was at the stage of defendant's evidence, petitioner moved an application (Annexure P-5) for framing an

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additional issue to the effect that whether agreement dated 24.10.2017 is forged and fabricated in the eyes of law. Said application has been declined by learned trial court by way of impugned order dated 17.04.2025 after observing that issue No.1 is exhaustive and will cover the allegations made by the defendant to the effect that agreement to sell dated 24.10.2017 is result of fraud, cheating and fabrication.

5. Assailing the aforesaid order, it is contended by learned counsel that since a specific stand was taken by the defendants- respondents that agreement in question was the result of cheating, fraud and fabrication so, specific issue was required to be framed thereon. Learned counsel also contends that additional issues can be framed at any time.

6. It is no doubt true that Court may frame an additional issue at any stage of the case but Court is required to see the justifiable reasons. As noticed earlier that issues were framed wayback in November, 2021 and at that time no further issue was pressed or claimed by any of the parties. Plaintiff did not move any such application when he was leading evidence and it is only at the stage of evidence of the defendants in 2025 when he moved the instant application.

7. In view of the aforesaid circumstances, this Court does not find any illegality or perversity in the impugned order.

No ground to interfere. Dismissed.

**(DEEPAK GUPTA)
JUDGE**

August 28, 2025

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No