

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-3159-CII-2015 and
CR-5466-2004
Date of Decision : 30.03.2015.

Nirmal Singh

....Petitioner

Versus

Aroor Singh (deceased) through LRs.

....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mrs. Narinder Kaur, Advocate for
Mr. Paramdeep Singh, Advocate
for petitioner.

Mr. M.K. Singal, Advocate,
for respondents.

SABINA, J

Petitioner has filed this petition challenging the orders dated 29.11.2003 and 10.02.2004 whereby objection petition filed by the petitioner against the sale were dismissed and the sale in favour of Auction Purchaser was confirmed.

On 24.09.2014 following order was passed by this Court, which follows as under:-

“ Nirmal Singh-petitioner, who is present in person along with his Advocate, has made a statement at the Bar that he would make the payment of ₹10 lacs to the respondent in two installments by 10.02.2015.

Learned counsel for the respondent has submitted that he has no objection if the petitioner,

namely, Nirmal Singh raises a loan of ₹10 lacs by mortgaging property in dispute with the Bank of by way of sale of 2 acres of the property in dispute.

It is, however, made clear that the amount of ₹10 lacs be deposited by the petitioner in the Registry of this Court by making an application to this Court. It is further made clear that in case the undertaking given by the petitioner, who is present in person, before this Court, is not complied with in its letter and spirit, the present petition shall be deemed to be dismissed.

Now to come up on 20.03.2015.”

In pursuance to the said order petitioner has failed to deposit the amount in question. Rather, the petitioner has moved an application for extension of time to deposit the amount of ₹10 lacs. On the last three dates the case was adjourned to enable the petitioner to deposit the amount in question but till date he has failed to do so. Even today petitioner is not ready with the amount in question to enable him to deposit the same.

In these circumstances, in view of the order passed by this Court dated 24.09.2014, the application for extension of time (i.e. CM No.3159-CII-2015) to deposit the amount in question as well as the petition are dismissed.

**(SABINA)
JUDGE**

March 30, 2015
prince rana