

CR No. 1846 of 2016 (O&M)

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

CR No. 1846 of 2016 (O&M)

Date of Decision: March 14, 2016

Sukhwinder Singh

...Petitioner

Versus

Dalip Chand

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Naresh Gopal Sharma, Advocate
for the petitioner.

AUGUSTINE GEORGE MASI, J. (Oral):

It has been brought to the notice of the counsel for the petitioner that a Co-ordinate Bench of this Court in CR No.3290 of 2014, titled as 'Ajay Partap Singh Vs. Gurdial Singh & others', has held that an appeal is maintainable against an order passed for assessment of provisional rent and therefore, the present revision would not be maintainable.

Counsel for the petitioner states that the period spent in pursuing the present revision petition may be condoned by this Court and the Appellate Court may be asked to consider sympathetically the aspect with regard to the application which may be moved by the petitioner before the Appellate Authority for condonation of delay, if any, in filing the appeal.

In view of the judgment passed in *Ajay Partap Singh's*

CR No. 1846 of 2016 (O&M)

case (supra), the present revision petition is disposed of as not maintainable with liberty to the petitioner to file an appeal within a period of one week from today. In case, the appeal is filed within the said period, this one week period will not be counted in the period of delay. If an application for condonation of delay alongwith the appeal is filed, the same shall be considered, in accordance with law, taking a lenient view.

Copy of the order be given *dasti* to the counsel for the petitioner under the signatures of Bench Secretary of this Court.

March 14, 2016

Harish

**(AUGUSTINE GEORGE MASIH)
JUDGE**