

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

**CR No.6985 of 2016
Date of Decision.21.12.2016**

Prem Singh	Vs	Petitioner
Jai Singh and others		Respondents

Present: Mr. Kanwardeep Singh, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

Learned counsel appearing for the petitioner submits that the specific performance of the agreement to sell dated 28.03.2000 was sought in respect of 98 sq. yards but the Court below had its own granted the relief for another 100 sq. yards i.e. 198 sq. yards in total. Though the judgment and decree was assailable in the appeal but the objections were filed only in the execution petition which have erroneously been dismissed.

This Court confronted the counsel for the petitioner-judgment debtor to assail the same by filing appeal, accompanied by an application seeking the condonation of delay, as the relief was granted beyond pleadings.

At this stage, learned counsel for the petitioner seeks liberty of this Court for withdrawal of the revision petition with liberty to file the appeal by taking the benefit of Section 14 of the Limitation Act.

Ordered accordingly. The revision petition is dismissed as withdrawn but with liberty as aforementioned.

**(AMIT RAWAL)
JUDGE**

December 21, 2016
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No