

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

CR No. 7404 of 2013

Date of decision: 11.03.2016

Surinder Kaur and Others

..Petitioners

Vs.

Bajan Kaur

..Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. R.S. Rangpuri, Advocate for the petitioners.

Mr. Sarju Puri, Advocate for the respondent.

REKHA MITTAL, J.(ORAL)

Counsel for the petitioners contends that the decree-holder did not deposit balance amount of consideration in compliance with the directions issued by the trial Court. Almost after three years of passing of the decree, an application was filed by the respondent for depositing the balance amount. The application was disposed of vide order dated 12.01.2007 (Annexure P-1). Another application has been filed by the respondent seeking extension of time for depositing the amount which is still pending before the Executing Court. The petitioners have filed an application under Section 28 of the Specific Relief Act for recession of the contract.

Counsel for the parties are ad idem that the present petition may be disposed of and the Executing Court may be directed to dispose of the application for extension of time filed by the decree-holder and application qua recession of the contract

filed by the petitioners and the sale deed executed in favour of the decree-holder through process of the Court in execution of decree for specific performance shall be subject to outcome of the aforesaid applications.

In view of the above, the petition stands disposed of without expressing any opinion on merits. However, the Executing Court shall dispose of the applications within a period of three months.

March 11, 2016

Poonam (II)

**(REKHA MITTAL)
JUDGE**