

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

ESA No.13 of 2015 (O&M)

Date of decision: 15.07.2016

Jaswinder Singh

....Appellant

Versus

Bahadur Singh and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Swarn Tiwana, Advocate
for the appellant.

Mr. Manohar Lall, Advocate
for respondent No.2.

REKHA MITTAL J. (Oral)

Counsel for the parties are *ad idem* that as the Court of appeal decided the appeal preferred by Jaswinder Singh – appellant under a mistaken impression that vide order dated 03.02.2011 objections preferred by Jagdish Lal son of Harbans Lal have been dismissed, the impugned order dated 29.09.2014 may be set-aside and the matter may be remitted to the Appellate Court for decision of MCA No.22-A of 2011 filed by Jaswinder Singh.

In view of the above, the appeal is allowed, the order dated 29.09.2014 passed by the Additional District Judge, Fatehgarh Sahib is set-aside and the matter is remitted to the Appellate Court for decision of MCA No.22-A of 2011 afresh in accordance with law after providing an opportunity to the parties, of being heard.

**(REKHA MITTAL)
JUDGE**

15.07.2016

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