

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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C.M. Nos. 4487-90-C of 2016 &
RSA No. 1622 of 2016 (O&M)

Date of Decision: 27.05.2016

Piara Singh and others

.....APPELLANTS

VERSUS

Kirpal Singh and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

**PRESENT: Mr. Atul Gaur, Advocate,
for the applicant/appellants.**

AUGUSTINE GEORGE MASIH, J (ORAL)

C.M. No. 4487-C of 2016

C.M. is allowed subject to just exceptions. Filing of certified copy of Page No. 1 of the judgment dated 03.03.2015 and Page No. 4 of the decree sheet passed by the Additional District Judge, Kaithal, is dispensed with.

C.M. No. 4488-C of 2016

Prayer in this application is for condonation of delay of 121 days in re-filing the appeal.

For the reasons mentioned in the application, which is duly supported by the affidavit of the clerk of the counsel, the same is allowed subject to just exceptions. Delay of 121 days in re-filing the appeal stands condoned.

C.M. No. 4489-C of 2016

C.M. is allowed subject to just exceptions. Filing of certified

Additional Civil Judge (Senior Division), Guhla is dispensed with.

RSA No. 1622 of 2016

Learned counsel for the appellants very fairly concedes that the appeal preferred by the appellants against the judgment and decree dated 30.01.2012 passed by the Additional Civil Judge (Senior Division), Guhla, whereby the suit of the respondents-plaintiffs for redemption of mortgage of land and for declaration to the effect that they have become owners of the suit property and consequently, the column of ownership of Jamabandi needs to be corrected, has been decreed and their counter claim dismissed, both the appeals against which preferred by the appellant-defendants No. 11, 13 and 14, who are asserting themselves to be the bona-fide purchasers from the original mortgagees in the counter claim, were dismissed on 03.03.2015 by the Additional District Judge, Kaithal, which were challenged in RSA No. 2415 of 2015 by the appellants-defendants. The said appeal stands dismissed by this Court on 16.11.2015.

In view of the above, the present appeal also stands dismissed in same terms as in RSA No. 2415 of 2015 titled as **Piara Singh and others vs. Kirpal Singh and others.**

C.M. No. 4490-C of 2016

In view of the dismissal of the main appeal, no separate orders are required to be passed in this application for stay and, therefore, the same stands dismissed.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

May 27, 2016

pj