

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

**RSA No.6599 of 2016 (O&M)
Date of Decision:17.12.2016**

Vir Kaur

.....Appellant

Versus

M/s Badri Parshad Gian Chand

...Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

**Present: Mr. Sanjiv Gupta, Advocate
for the appellant.**

RAJ MOHAN SINGH, J.(Oral)

CM No.17254-C of 2016

Learned counsel for the appellant submits that the deficiency in court fees has been made good. This application is accordingly allowed.

Main case(O&M)

A civil suit for recovery was filed against the defendants in which defendants set up a counter claim. Trial Court decreed the suit for recovery and dismissed the counter claim. Two appeals were filed by the defendants. Both appeals were dismissed by the lower Appellate Court. The appeal filed by the defendants i.e. RSA No.852 of 2016 against the decree passed

in main suit for recovery was also dismissed on 23.02.2016. The present appeal has been filed against the decree passed by the Courts below in counter claim. Since RSA No.852 of 2016 has already been dismissed by Coordinate Bench of this Court on 23.02.2016, therefore, nothing survives in this appeal. The present appeal is also dismissed in the same term.

Since, main appeal has been dismissed, therefore, no order is required to be passed in the applications i.e. CM No.17255-C of 2016 and CM No.17256-C of 2016 for condonation of delay.

17.12.2016

Prince

**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No