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

**Civil Revision No.4026 of 2017
Date of Decision: 10.8.2017**

GURMEJ SINGH

.....Petitioner

Vs

SUKHWINDER SINGH AND ANR.

....Respondents

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

Present: Mr. Harjot Singh Mann, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.

[1]. Petitioner has challenged the order dated 03.04.2017 passed by the Addl. Civil Judge (Sr. Divn.) Amritsar vide which application for extension of time for depositing the balance sale consideration was dismissed.

[2]. Brief facts are that suit for specific performance was decreed vide judgment and decree dated 05.12.2015. The concluding part of the same is reproduced as under:

"It is ordered that the suit of the plaintiff succeeds and is hereby decreed with costs. The two sale deeds dated 12.11.2010 executed by defendant No.1 in favour of defendant no.2 in respect of an area of 5.56 marla and 8 marla out of total suit property are held to be illegal, null

and void and are accordingly set aside. The defendant No.2 is directed to join defendant No.1 in execution of sale deed in respect of suit land in favour of plaintiff as per terms and conditions of agreement to sell dated 29.6.2010 after receiving the balance sale consideration from the plaintiff which shall be deposited by him in the court within three months from today. Defendant no.2 is also restraining from alienating or transferring the suit property in manner to any other person except the plaintiff.”

[3]. Three months time was given by the trial Court from 05.12.2015 for the deposit of balance sale consideration by the plaintiff in the trial Court, however the needful was not done. On 05.03.2016, an extension was given by the Addl. Civil Judge (Sr. Divn.) Amritsar thereby extending the period by two months for depositing the balance sale consideration from 05.03.2016. The amount was not deposited even thereafter.

[4]. Vide order dated 21.05.2016, further time was granted to the petitioner for depositing the balance sale consideration upto 05.07.2016. This was so ordered on the statement of respondent No.1 for depositing the balance sale consideration. The needful in the context of depositing the balance sale consideration was not done, even after this extension of time.

[5]. Thereafter it has come on record that vide order dated 02.02.2017, the time was further extended by two months in order to enable the petitioner to deposit the balance sale

consideration and the petitioner was directed to place on record the receipt pertaining to the said deposit. The period of two months has already elapsed on 03.04.2017 and the amount has not been deposited by the petitioner. Even on the date fixed before the trial Court, no representation was made by the petitioner since time granted by the trial Court already elapsed and now the present petition has been preferred for the same relief.

[6]. In view of aforesaid attending circumstances of the case, I am of the considered view that no such indulgence can be granted to the petitioner, who has virtually slept over the matter despite repeated extensions granted to him.

[7]. Consequently, this revision petition is found to be totally bereft of merits and the same is accordingly dismissed.

August 10, 2017

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No