

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No. 6263 of 2015

Date of decision:- 21.11.2017

State of Punjab

...Petitioner

Versus

Inder Kaur and ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Raj Kumar Garg, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

C.M. No. 19946 and 19947-C--2015

This Court issued the notice of the applications on 22.09.2015 but till date none has put in appearance on behalf of respondents and no reply has been filed.

In view of the above factual position, for the reasons mentioned in the application, delay of 179 days in filing and 69 days in refiling of the revision petition is condoned.

The application stands disposed of.

C.R. No. 6263-2015

This petition under Article 227 of the Constitution of India is for setting judgment and decree dated 28.10.2013 and order order 22.08.2014 passed by learned Addl. District Judge, Kapurthala dismissing the appeal on the ground of non-payment of costs.

Learned counsel for the petitioner submits that the without impleading the Gram Panchayat, the suit has been decreed in favour of the respondent-plaintiff. The respondent was claiming ownership over the suit

land on the basis of adverse possession belonging to the Gram Panchayat.

In view of the above factual position, 22.08.2014 passed by learned Addl. District Judge, Kapurthala is set aside. The revision petition is allowed, subject to payment of Rs.5000/- as cost to be deposited before the District State Legal Service Authority, Kapurthala. Thereafter, the Court below will hear the appeal on merits after giving due notice to the parties.

November 21, 2017
G Arora

(*RITU BAHRI*)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No