

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

Anuradha
2017.08.11 17:17
I attest to the accuracy and
integrity of this document

217

CM-3961-C-2016 in/and
RSA-1429-2016 (O&M)
Decided on : 8.8.2017

SANTOSH

...APPELLANT

VS

KANTA @ KHAJAANI

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

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

Mr. Varun Gupta, Advocate
for the respondent.

AJAY TEWARI, J.(Oral)

CM-3960-C-2016

CM-3961-C-2016

CM-3962-C-2016

For the reasons mentioned in the applications, the same are allowed and delay of 155 days in refiling the appeal and delay of 385 days in filing the appeal is condoned.

Main Case

On the last date the following order was passed:

"The dispute pertains to a very small property measuring 54 square yards, wherein the appellant is claiming 1/3rd share and respondent 2/3rd share. In order to settle the dispute amicably by paying the price of the share of the parties, the parties seek adjournment to have instructions.

List on 20.02.2017.

Interim order to continue."

Today with the intervention of the counsel for the parties, the matter has been settled. Both the Counsel has agreed that one party would settle the price and the other party would exercise option to buy or sell.

**CM-3961-C-2016 in/and
RSA-1429-2016 (O&M)**

-2-

Learned counsel for respondent has prayed for permission to set the price which is accepted by the counsel for the appellant. Counsel for the respondent has fixed the price of the property @ Rs. 52,200/- per square yard.

In the circumstances, the appeal stands disposed of with a direction that in case the appellant deposits the price of 2/3rd share of property @ Rs. 52, 200/- per square yard within one month before the Executing Court, she would be entitled to have executed sale deed in her favour and the respondent will transfer the 2/3rd share of the property to the appellant. In case the appellant does not deposit the amount as mentioned above, the respondent would have a right to deposit the amount falling to the share of the appellant at that rate and then would be entitled to have executed sale deed in her favour.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stand disposed of.

08 August, 2017
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No