

**In the High Court of Punjab and Haryana at Chandigarh**

**Regular Second Appeal No. 2119 of 2015 (O&M)  
Date of Decision: 03.3.2017**

Vijay Kumar

.....Appellant

Versus

Mangat Rai Sharma and others

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

Present: Mr. Gurcharan Dass, Advocate  
for the appellant.

Mr. K.S.Boparai, Advocate  
for respondents No. 1 and 2.

Mr. Ashish Bakshi, Advocate  
for respondents No. 3 and 4.

None for respondent No. 5.

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**ANITA CHAUDHRY, J**

Notice of this appeal was issued only to a limited extent which is noted in the order dated 2.11.2015. The appellant claimed 1/5<sup>th</sup> share in the house measuring 200 square yards. The appellant had lost the case before both the Courts below. He had stated that he was ready to pay the value of the share of his brother, if they agreed to it.

Notice of motion was issued. By then, it transpired that the auction proceedings were going on. The Co-ordinate Bench had allowed the auction proceedings to continue, however, an order was made that the sale would not be confirmed.

On appearance the respondents had stated there were no

of the Executing Court.

Counsel for the appellant states that he is still ready to pay the amount. The respondents are not ready for any compromise.

In view of the above, nothing survives. The appeal is dismissed.

**(ANITA CHAUDHRY)**  
**JUDGE**

**March 03, 2017**  
Gurpreet

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|----------------------------------|----------|------------|
| <b>Whether speaking/reasoned</b> | <b>:</b> | <b>Yes</b> |
| <b>Whether reportable</b>        | <b>:</b> | <b>No</b>  |