

RSA No.761 of 2015 (O & M) and  
COCP No.2636 of 2016 (O & M)

-1-

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

RSA No.761 of 2015 (O & M)  
Date of decision :27.09.2017

Saddiq

...Appellant

Versus

Abdul Rashid @ Budhu

...Respondent

COCP No.2636 of 2016 (O & M)

Saddiq

...Petitioner

Versus

Abdul Rashid @ Budhu

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Jangvir S. Hooda, Advocate  
for the appellant in RSA No.761 of 2015 and  
petitioner in COCP No.2636 of 2016.

Mr. Sanjeev Kumar Bawa, Advocate  
for the respondent.

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**ANIL KSHETARPAL, J. (Oral)**

**CM No.2256-C-2015**

For the reasons stated in the application, which is duly  
supported by an affidavit, delay of 76 days in filing the appeal is condoned.

Application is allowed.

**Main Case**

Plaintiff is in Regular Second Appeal against the judgment  
passed by the learned Additional District Judge, Mewat while passing a

preliminary decree for partition.

During the course of arguments, learned counsel for the parties have arrived at a consensus that in an application for final partition pending before the trial Court, a direction be issued to the Court to finally disposed of the same within a specified time. Preliminary decree in the present case was passed on 30.08.2014 and three years have elapsed.

Taking into consideration the aforesaid fact, the request of learned counsels is found reasonable.

Accordingly, the present appeal is disposed of with a direction to the trial Court to finally decide the application for passing final decree within a period of six months from today.

**COCP No.2636 of 2016**

The contempt petition is also disposed of in terms of the order passed in RSA No.761 of 2015.

27.09.2017  
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(ANIL KSHETARPAL)  
JUDGE

Whether Speaking/reasoned : Yes  
Whether Reportable : No