

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

RSA No.4088 of 2017(O&M)

Date of Decision:-20.09.2017

Udik Chand.

.....Appellant.

Versus

Avtar Singh.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Krishan Kumar Thakur, Advocate for
applicant/appellant-defendant.

Mr. G.S. Sidhu, Advocate for
Mr. Parvez Chugh, Advocate for
non applicant/respondent/Plaintiff.

JASWANT SINGH, J.(ORAL)

Defendant is in second appeal against the impugned judgment and decree dated 13.12.2016 passed by the learned Civil Judge(Sr. Divn.), Ferozepur and duly affirmed by learned Additional District Judge, Ferozepur vide judgment and decree dated 03.07.2017, whereby the suit of the respondent/plaintiff for possession of three shops was decreed subject to payment of Rs.1,45,000/- by the plaintiff to the defendants.

This Court had issued notice of motion vide order dated 29.08.2017 on the restricted prayer for grant of some reasonable time to enable the appellant to relocate his business.

At the time of hearing today, the affidavit of appellant Udik

Chand dated 18.09.2017 has been sought to be placed on record by way of **CM No.11785-C of 2017** whereby 15 months time w.e.f. 1.10.2017 till 31.12.2018 for retaining the possession has been prayed for.

CM No.11785-C of 2017 is allowed and affidavit is taken on record.

Counsel for the respondent/plaintiff has no objection to the grant of aforesaid time.

In view of the aforesaid agreed stand, the instant second appeal is partly allowed to the extent that the impugned judgment and decrees are modified to the extent that the time for handing over the vacant possession shall stand extended till 31.12.2018 subject to payment of Rs.1,45,000/- by the respondent/plaintiff to the defendant at the time of handing over of possession. Decree sheet be prepared accordingly.

(JASWANT SINGH)
JUDGE

September 20, 2017
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>