

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

160+163

CR No.2585 of 2018 (O&M)

Date of decision: 05.09.2018

Geet Saini and others

..... Petitioners

Versus

Ram Kaur and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Rakesh Gupta, Advocate
for the petitioners.

Mr. Munish Gupta, Advocate
for respondents No.2 to 4.

ANIL KSHETARPAL, J. (ORAL)

CM-18444-CII-2018

Allowed, as prayed for.

Main Case

In the present case, the petitioners were granted opportunity to deposit the ad valorem Court fee. However, there was a delay of 2 days in depositing the aforesaid Court fee as directed. Learned First Appellate Court has dismissed the application for restoration.

Learned counsel for the petitioners has pointed out that the Court fee could not be paid as it was not available. Counsel has also pointed out that the Court fee has already been deposited.

Keeping in view the aforesaid facts, while exercising the powers under Section 149 of the Code of Civil Procedure, the time for deposit of the Court fee is extended till it was actually paid.

The appeal be registered. Learned First Appellate Court is directed to decide the first appeal, within a period of three months, from the date of receipt of a certified copy of this order.

Parties through their counsel are directed to appear before the learned First Appellate Court on 06.09.2018.

Learned counsel for the petitioners has also pointed out that the execution proceedings have been taken out by the respondents. The petitioners would be at liberty to move an application before the learned First Appellate Court.

With these observations, the revision petition is disposed of.

05.09.2018
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No