

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

203-A

**RSA-809-2011 (O&M)
Date of Decision : 7.2.2018**

SMT. RAJESHWARI AND OTHERS APPELLANTS

VS

**CHATAR SINGH AND OTHERS
 RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Ashwani Chopra, Senior Advocate with
Mr. Rohit Ahuja, Advocate
for the appellant.

Mr. Arun Jain, Senior Advocate with
Mr. Shiv Kumar, Advocate for
the respondents.

AJAY TEWARI, J.(Oral)

CM-2254-C-2011

This is an application under Order 22 Rule 10 stands
allowed subject to all just exceptions.

CM-2255-C-2011

This is an application for condonation of 185 days delay in
filing the appeal.

For the reasons recorded in the application, the same is
allowed and delay of 185 days in filing the appeal is condoned.

CM-2577-C-2013

This is an application under Order 22 Rule 4 for impleading

the LR's of deceased-respondent No.3.

For the reasons recorded in the application the same is allowed and the persons mentioned in paragraph No.2 are impleaded as LR's of respondents No.3 subject to all just exceptions. Amended Memo of Parties is taken on record.

Main Case

After arguing for some time on the instructions of their clients it has been agreed by both the learned counsel that both judgments i.e. trial Court and Appellate Court be set aside and matter be sent back to the trial Court for a fresh decision on merits after giving opportunity of hearing and notice to all who may be interested in the property. For this purpose parties before me are directed to give complete list of the persons interested to the trial Court so that notices can be issued to all of them can be heard before the case is decided.

Matter is consequently remanded back to the trial Court. Parties present through counsel are directed to enter appearance before the trial Court on 26.3.2018 for further proceedings.

The appeal stands allowed in the above terms.

Since the main case has been decided, the pending C.M, if any, also stand disposed of.

7.2.2018
anuradha

(AJAY TEWARI)
JUDGE

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