

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

**RSA No.5344 of 2016 (O&M)
Date of Decision.07.12.2018**

Lachman Ram	Vs	Appellant
Ladi alias Devinder and others		...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Subhashish Kukreti, Advocate
for the appellant.

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AMIT RAWAL J. (ORAL)

C.M. No.13889-C of 2016

For the reasons stated in the application, delay of 51 days
in re-filing of the appeal is condoned.

Application is allowed.

RSA No.5344 of 2016

The short point involved in the present case is whether in
pursuance to the agreement to sell dated 16.07.1998 having
stipulated date as 01.02.1999 while pursuing the criminal proceedings
against the father of the plaintiff, can file the suit beyond three years
when the time was not essence of the agreement.

Concededly, the suit has been filed on 31.01.2009 after
almost 10 years. In such circumstances, finding of fact and law
arrived at by the Courts below dismissing the suit on the
aforementioned ground cannot be faulted with. No ground for
interference is made out. The second appeal is dismissed.

**(AMIT RAWAL)
JUDGE**

December 07, 2018
Pankaj*

Whether Reasoned/Speaking	Yes/No
Whether Reportable	Yes/No