

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

264

CR-1475-2019(O&M)

Date of Decision : December 09, 2019

KAMALDEEP SINGH @ SONU

.....Petitioner

VERSUS

BALBIR SINGH (SINCE DECEASED) NOW REPRESENTING
THROUGH HIS LRS

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Vikasdeep Singh, Advocate for the petitioner.
Mr. G.S.Attariwala, Advocate for the respondents.

NIRMALJIT KAUR, J. (Oral)

CM-5093-CII-2019

Allowed, as prayed for.

Main case

This revision is filed against the order dated 10.8.2018 passed by Addl. Civil Judge (Sr. Divn), Kapurthala vide which the objections filed by the petitioner were dismissed.

While praying for setting aside the said order, the only argument raised by learned counsel for the petitioner is that the petitioner is residing in the premises since long, whereas, the respondents have to come from outside and start afresh and in these circumstances, he would be happy if the portion of the house in possession of the respondents is given to him and the portion in his possession is exchanged with the respondents.

In order to find out an amicable solution, the parties were told to be present before this Court.

However, the respondents instead of exchanging the respective portion, offered to give the entire premises falling in their share to the petitioner in case he pays the market rate which is stated to be Rs.20 lacs but after little persuasions, they agreed to hand over the same to the petitioner for Rs.15 lacs. The petitioner, who is present in the Court, stated that he is ready to pay only Rs.8 lacs. Since the gap between the offer made by the respondents and that of petitioner is almost double, it does not appear that the matter can be amicably settled.

No such argument has been raised which may enable this Court to interfere in the impugned order dated 10.8.2018, more-so, when the notice of motion was also issued only on the submission made by the learned counsel for the petitioner that he is ready to pay in cash the market value of the share of the respondents.

Admittedly, both the petitioner and the respondents have got equal share. There is no discrepancy in the area which has been divided equally between both the parties.

In view of the above, this Court does not find any reason to interfere in the order dated 10.8.2018.

Dismissed accordingly.

December 09, 2019
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(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No