

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.2436 of 2019(O&M)
Date of Decision: 11.04.2019

Vijay Kumar

.....Petitioner

Versus

Naresh Kumar (deceased) through his LRs.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Arnav Sood, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

[1]. The suit for specific performance filed by the plaintiff/petitioner was decreed by the trial Court against which appeal was filed before the Lower Appellate Court. The appeal was also dismissed in default on 07.01.2015. The application for restoration of the appeal was also dismissed on 15.09.2017.

[2]. Lower Appellate Court has granted indulgence in restoring the application as well as appeal by recording some incriminating facts on record. The indulgence has been granted subject to payment of costs of Rs.1000/-.

[3]. Learned counsel for the petitioner submitted that the decree has been satisfied in parts and sale deed has already

been executed in favour of the plaintiff/petitioner.

[4]. All these arguments can be appreciated by the Lower Appellate Court at the time of hearing of the appeal. The indulgence granted by the Lower Appellate Court in restoring the application as well as appeal cannot be faulted with. This revision petition is accordingly dismissed.

11.04.2019

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**(RAJ MOHAN SINGH)
JUDGE**

**Whether reasoned/speaking
Whether reportable**

**Yes/No
Yes/No**