

In the High Court of Punjab and Haryana at Chandigarh

RSA- 2146 of 2015(O&M)
Date of Decision: 29.3.2019

State of Punjab and another

---Appellants

versus

Karnail Singh

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Daldeep Singh Sukerchakia, DAG, Punjab
for the appellants**

**Mr. T.P.Singh, Advocate,
for the respondent**

Rekha Mittal, J.

CM No. 5608-CII of 2015

Prayer in this application is for condoning delay of 72 days in filing the appeal.

In view of averments made in the application and arguments advanced by counsel for the applicants, application is allowed and delay of 72 days in filing the appeal stands condoned.

Disposed of accordingly.

RSA No. 2146 of 2015

Challenge in the present appeal has been directed against the judgments and decrees passed by the courts whereby suit for possession qua land measuring 8 kanal 7 marlas, detailed in head note of the plaint and mesne profits of Rs. 75,000/- @ Rs. 25,000/- per acre per annum or in the alternative, suit for recovery of Rs. 41,75,000/- was decreed by the trial court for possession of land measuring 8 kanal 7 marlas adjoining to the

land of respondent-plaintiff and he was held entitle to mesne profits of Rs. 75,000/- by the trial court vide judgment and decree dated 9.12.2013 that came to be affirmed in appeal by the District Judge, Shaheed Bhagat Singh Nagar as appeal preferred by the appellant was dismissed.

Counsel for the respondent-plaintiff would inform that in view of relief granted by the courts for possession of alternative land adjoining to land of the respondent-plaintiff, the respondent has already been delivered land measuring 8 kanal 7 marlas in January 2018 and mesne profits of Rs. 75,000/- have been paid and as such, claim of the respondent under the decree passed by the trial court and affirmed by the Appellate Court stands fully satisfied.

Counsel for the appellant has expressed his inability to vouch for statement made by counsel for respondent but would state that in view of statement made by counsel for respondent, the appeal may be disposed of.

Disposed of accordingly.

(Rekha Mittal)
Judge

29.3.2019

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No