

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

(111)

LPA-114-2022

Date of Decision:-06.09.2022.

M/s Bluecraft Agro Private Limited

.....Appellant

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ALOK JAIN**

Present: Mr. Sukesh K. Jindal, Advocate for the appellant.

Mr. P.S. Chauhan, Senior Additional A.G., Haryana.

AUGUSTINE GEORGE MASIH, J. (Oral)

Learned counsel for the appellant contends that the issue which has been dealt and decided by the learned Single Judge is totally different from what the case of the appellant before the Court. As a matter of fact, the stamp paper which was earlier purchased in the name of both the parties was never used for registration of a document and fresh stamp paper was purchased and used for the purpose of registration. It is those stamp papers which were purchased earlier and had not been used for execution of the instrument, refund of which was being sought. Counsel for the appellant further contends that this being the issue before the learned Single Judge, the same has not been dealt with by the Court. If that be so, the appellant should first approach the learned Single Judge with an application for review of the said order.

Counsel for the appellant prays for liberty to avail of the

LPA-114-2022

remedy of filing of review application before the learned Single Judge, except for the aspect that the appellant is apprehensive that the time for filing the review application would have expired, although he had filed the appeal within time and, therefore, the review application may be dismissed on the ground of delay alone. This apprehension of learned counsel for the appellant appears to be misplaced. In case an appropriate application for condonation of delay along with review application is preferred detailing therein the time spent by the appellant in pursuing the present remedy of appeal, the Court would take that into consideration and pass appropriate orders.

The present appeal is, therefore, permitted to be withdrawn with liberty to the appellant to avail of the remedy of review.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ALOK JAIN)
JUDGE

September 06, 2022.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No