

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 2143 of 2022 (O&M)****Date of Decision: 02.08.2023**

Kamlesh Devi

... Petitioner(s)

Versus

Bhupinder Singh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.Present: Mr. Satvir Rathore, Advocate
for the petitioner(s).Mr. Sameydeen, Advocate
for the respondent No.1.**Anil Kshetarpal, J.**

1. Through this revision petition, the order passed by the First Appellate Court dismissing the appeal while refusing to condone the delay has been challenged.

2. The petitioner is the bsister-in-law of respondent No.1. In other words, the brother of respondent No.1 was married to the petitioner. The respondent No.1, while claiming to be the owner of the property, filed a suit for its vacant possession which was decreed by the trial Court on 27.02.2019. The petitioner filed the first appeal on 07.02.2020 along with an application for condonation of delay which, as noticed above, has been dismissed.

3. The learned counsel representing the petitioner submits that the petitioner's son has been recruited in the Army and she is in the process of

constructing a house. He further submits that if six months' time is granted,

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the petitioner shall handover the vacant possession of the premises to the respondent No.1.

4. The respondent No.1. is present in this Court along with his counsel. He submits that he has no objection to the aforesaid proposal provided the petitioner shall hand over the vacant possession of the premises on or before 31.01.2024.

5. Keeping in view the aforesaid facts, both the parties have come to a consensus. In these circumstances, the present revision petition is disposed of while granting liberty to the petitioner to file an undertaking before the trial Court within a period of 15 days from today that she will hand over the vacant possession of the premises to respondent No.1 on or before 31.01.2024. If the petitioner fails to file an affidavit in the trial Court within a period of 15 days from today, the respondent No.1 shall be entitled to execute the orders.

6. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

August 02, 2023

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No