

106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60645-2023

Date of decision: 02.12.2023

JAIDEEP GHAI AND ANOTHER

...PETITIONER

V/S

GREATER MOHALI AREA DEVELOPMENT AUTHORITY

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Randeep Singh Rai, Senior Advocate with
Mr. Gautam Dutt, Advocate for the petitioner.

DEEPAK GUPTA J. (ORAL)

The limited prayer made by learned senior counsel for the petitioner is to direct the Appellate Court concerned to decide the application moved under Section 311 Cr.P.C wayback on 30.05.2016 (Annexure P-5), which has not been decided despite the fact that the learned counsel for opposite party made a statement on 16.05.2017 regarding its 'no objection' to allow the application for additional evidence.

Learned counsel contends that for the last more than 6 years, the application is pending and has not been decided. He further requests to direct the Appellate Court concerned to decide the aforesaid application prior to deciding the appeal on merits.

Having perused the paper book, the petition is disposed of with the direction to the Appellate Court concerned to decide the application (Annexure P-5) at the earliest preferably within 1 month. Further, directed to decide the aforesaid application prior to deciding the appeal on merits, having regard to the facts disclosed.

(DEEPAK GUPTA)
JUDGE

December 02, 2023