



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

**CR-7332-2024
DECIDED ON: 16.01.2025**

ROHIT NARANG AND ANR

....PETITIONERS

VERSUS

GENERAL PUBLIC

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. Vansh Malhotra, Advocate for the petitioners.

VIKRAM AGGARWAL, J (ORAL)

The present revision petition is directed against the order dated 11.11.2024 (Annexure P-4) passed by the Court of learned Additional Civil Judge (Senior Division), Kaithal vide which the application moved by the petitioner for extending time for furnishing security etc. in terms of the judgment dated 12.03.2024 (Annexure P-2) was dismissed.

2. A petition under Section 372 of the Indian Succession Act, 1925 was moved by the petitioners seeking a succession certificate to the estate of deceased Harish Kumar Narang. The said petition was allowed vide judgment dated 12.03.2024 (Annexure P-2) and the petitioners were called upon to deposit the requisite stamp fee and also to execute a bond with one surety within a period of one month. For, the same could not be done, an application for extension of time (Annexure P-3) was moved which has been rejected by way of the impugned order.

3. Learned counsel for the petitioners submits that the Court concerned erred in rejecting the application, for, in terms of the provisions of Section 148 of the Code of Civil Procedure, 1908 (for short 'CPC'), the



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Court was duly empowered to extend the time for a period of 30 days.

4. Having considered the submissions made by learned counsel for the petitioners, this Court is of the considered opinion that the order under challenge is not sustainable. Section 148 CPC clearly lays down that time can be enlarged even if the time granted by the Court had expired. The only rider that has been incorporated is that such enlargement of time would not exceed 30 days in total. In the considered opinion of this Court, the Court concerned should have examined the matter from a broader perspective. Be that as it may, the present revision petition is allowed and the impugned order, being not sustainable is set aside and the petitioners are granted three weeks' time to comply with the directions in judgment dated 12.03.2024 (Annexure P-2).

16.01.2025
Prince Chawla

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No