



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SAO NO.52 of 2019(O&M)

Date of Order:27.03.2025

Khem Chand and others

.Appellants

Versus

Ragbir Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None.

ANIL KSHETARPAL, JUDGE (Oral)

1. This appeal has been filed against the First Appellate Court's order refusing to condone the delay of 5 months and 7 days in filing the appeal against a preliminary decree for partition. Along with the appeal, an application for condonation of delay of 663 days in refileing the appeal has also been filed. The appellants' counsel did not file urgent form to get the matter listed in the urgent list. Hence, this was not taken up for preliminary hearing. On 08.05.2023, the case was taken up for preliminary hearing but on the request of appellants' counsel, it was adjourned. On 27.02.2025, the counsel representing the appellants did not come.

On 26.03.2025, the following order was passed:-

“This appeal has been filed against the order refusing to condone the delay of more than six months in filing the first appeal against the preliminary decree for partition.

The learned counsel representing the appellants was requested to disclose the status of the application for final decree, if any filed. He feigns ignorance and submits that it will be known to his senior Mr.



S.K.Verma, Advocate.

List on 27.03.2025.”

In the morning session, the learned counsel representing the appellants submitted that he has no information about the progress of the case.

This court directed the office to check the status of the case.

As per office report, not only the final decree has been passed but even the execution petition has already been dismissed as withdrawn on 05.09.2022.

Keeping in view the aforesaid facts, it would not be appropriate to pass any further order. The file is directed to be closed.

All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

March 27, 2025

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