

ITEM NO.20

COURT NO.9

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No.6376/2023

(Arising out of impugned final judgment and order dated 01-11-2022 in RSA No. 677/2016 passed by the High Court of Punjab & Haryana at Chandigarh)

MAHINDER SINGH & ANR.

Petitioner(s)

VERSUS

RAJ PAL (SINCE DECEASED) THROUGH LR & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.41052/2023-CONDONATION OF DELAY IN FILING SLP, IA No.41053/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.41055/2023-APPLICATION FOR SUBSTITUTION, IA No.41051/2023-EXEMPTION FROM FILING O.T., IA No.41058/2023-CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. and IA No.41050/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 13-03-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s)

Mr. Aabhas Kshetarpal, Adv.
Mr. Siddhartha Jha, AOR
Ms. Priyambika Mk Jha, Adv.

For Respondent(s)

Mr. Nidhesh Gupta Sr, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. Narendra Kumar Goyal, Adv.
Mr. Ashutosh Chaturvedi, Adv.
Mr. Kunwar Siddharth Singh, Adv.
Ms. Kajal Rani, Adv.
Mr. Rahul Maratha, Adv.
Mr. J S Maratha, Adv.
Mr. Ikshit Singhal, Adv.
Mr. Chandrakant Sukumar Sarkar, Adv.
Mr. Jeetendra Kumar, Adv.
For M/s.Mukesh Kumar Singh And Co., AOR

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Exemption Applications are allowed.

Delay in filing the substitution application is condoned and abatement is set aside.

Taking into consideration the averments made in the application for substitution, the said application is allowed and the legal representatives of deceased Petitioner No.2 are brought on record.

Cause title be amended accordingly.

We have heard learned counsel for the petitioners as well as learned Senior Counsel for Respondent No.1, who is on caveat, at a considerable length and perused the material placed on record.

In our considered view, the reasons assigned by the High Court in rejecting the claim of the petitioners for a decree of possession by way of pre-emption are just and plausible.

No interference in the impugned Judgment dated 01-11-2022 passed by the High Court of Punjab & Haryana at Chandigarh, is called for.

The Special Leave Petition is, accordingly, dismissed.

Pending application also stands disposed of.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
COURT MASTER (NSH)