

**22.11.2018**

Present: Mr. Romesh Verma, Advocate, for the appellant.

Mr. Ajeet Jaswal, Advocate vice counsel for respondent No.1.

**CMP No. 10935 of 2018**

By way of instant application, prayer has been made on behalf of the applicant/appellant, for extension of time to comply with order dated 4.8.2017 passed in the instant appeal. Learned counsel representing the non-applicants-respondent under instructions states that he has no objection, in case prayer made in the application is allowed.

Averments contained in the application suggest that vide order dated 4.8.2017, this Court had directed the applicant to deposit a sum of Rs. 6,000/- per annum, on account of mesne profit to the respondent-plaintiff from the date of the judgment and decree passed by the court below on or before 31<sup>st</sup> December, but since applicant did not receive communication from her counsel, she failed to deposit the amount well within time as prescribed by this Court vide order dated 4.8.2017. It also emerges from the contents of the application that applicant is old and ailing lady and as such, prayer made in the application deserves to be accepted.

Consequently, in view of the explanation rendered in the application, same is allowed and applicant/petitioner is directed to comply with order dated 4.8.2017, within a period of two days, as has been prayed for, by the learned counsel. It is further clarified that on the deposit of aforesaid amount within the stipulated period, order dated 4.8.2017, passed in CMP No. 1471 of 2017, shall revive. Application stands disposed of.

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**22<sup>nd</sup> November, 2018**  
*manjit*

**(Sandeep Sharma),  
Judge**