

Sunder Singh (deceased) through LRs vs. Roop Singh

RSA No.594 of 2019 alongwith Cross-objection No.32 of 2020

21.03.2022

Present: Mr.Sanjeev Kuthiala, Senior Advocate, alongwith Ms.Anaida Kuthiala, Advocate, for the appellants/non-cross objectors.

Mr.Bhagwati Chander Verma, Advocate, for respondent No.1/Cross-objector.

None for respondent No.2.

Vide order dated 10.09.2020 passed in CMP No.15306 of 2019 in RSA No.594 of 2019, order dated 23.12.2019, passed in this application was made absolute during pendency of the appeal, subject to deposit of entire decretal amount alongwith up-to-date interest in the Registry of this Court within eight weeks from the date of passing of the order. Thereafter, an application No.14193 of 2020 was filed for extension of time and the said application was allowed by permitting the appellants to deposit decretal amount alongwith up-to-date interest in three equal installments, i.e. first installment on or before 31.03.2021, second installment on or before 31.08.2021 and final third installment on or before 30.11.2021 and alongwith payment of first installment, appellants were also directed to file calculations of the amount payable in terms of impugned judgments and decrees, subject to verification.

However, appellants have failed to deposit the amount within time granted and as interim order was made absolute subject to deposit of entire decretal amount, interim protection dated 23.12.2019, made absolute on 10.09.2020, stands vacated automatically for non compliance of the condition subject to which protection was granted.

Necessary consequences shall follow.

(Vivek Singh Thakur)
Judge

March 21, 2022
(Purohit)