

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3457 OF 2019
(Arising out of SLP(C) No. 6149/2019)

BIDHI CHAND

Appellant (s)

VERSUS

TRIBHUVAN SINGH @ TRIBURAN SINGH (NOW DECEASED)
THROUGH LRS. & ORS.

Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

This appeal takes exception to the judgment and order dated 30.10.2018 passed by the High Court of Punjab and Haryana at Chandigarh in RSA No. 3996 of 2018 (O & M).

On a bare perusal of the impugned order, it is obvious that the High Court dismissed the second appeal on the sole ground that the parties were not in a position to settle the matter. If the parties were unwilling to settle the matter, the High Court was expected to proceed with the hearing of the second appeal on merits in order to admit the second appeal or dismiss it, as the case may be.

As a result, we set aside the impugned order and relegate the parties before the High Court by restoring the second appeal to its

original number for being placed before the appropriate Bench for admission thereof. The parties to appear before the High Court on 24.04.2019.

The appeal is disposed of accordingly.

.....J
(A.M. KHANWILKAR)

.....J
(AJAY RASTOGI)

New Delhi
April 08, 2019

ITEM NO.55

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
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 6149/2019

(Arising out of impugned final judgment and order dated 30-10-2018 in RSA No. 3996/2018 passed by the High Court Of Punjab & Haryana At Chandigarh)

BIDHI CHAND

Petitioner(s)

VERSUS

TRIBHUVAN SINGH@ TRIBURAN SINGH (NOW DECEASED)
THROUGH LRS. & ORS.

Respondent(s)

Date : 08-04-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s)

Mr. Ashok Arora, Adv.
Mr. Yadav Narender Singh, AOR
Mr. Abhishek Singh, Adv.
Mr. Manu Prakash Upadhyay, Adv.

For Respondent(s)

Mr. S.D.Sharma, Sr. Adv.
Mr. Shish Pal Laler, Adv.
Mr. Devesh Kumar Tripathi, AOR

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

Leave granted.

The Civil Appeal is disposed of in terms of the signed order.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)