

CR-3711-2015 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-3711-2015 (O&M).

Decided on: May 28, 2015.

Rajiv Gupta and others

..... Petitioner(s)

Versus

Dharam Pal Malhotra and others

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Piyush Kant Jain, Advocate,
for the petitioners.**

M.M.S. BEDI, J (ORAL).

The plaintiffs have been granted leave of the Court to file a suit under Section 92 CPC in context to the administration of a registered trust. The only prayer made in the present petition under Article 227 of the Constitution of India, is that a direction may be issued to the Civil Judge (Sr., Divn.), Ludhiana, to consider and decide the application under Order XL Rule 1 CPC, for appointment of Receiver.

On asking of the Court, it has been informed that next date of hearing before the trial Court is 14.8.2015.

Notice of the application sought to be adjudicated expeditiously seems to have not yet been issued to the respondents. It cannot be assumed, at this stage, that a direction is required for adjudication of an application. In case despite written request for expeditious disposal, above said misc. application is not adjudicated

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upon by the trial Court, it will not be in the interest of propriety to issue any direction.

This petition is disposed of as pre-mature, at this stage, with liberty to the petitioners to make a specific request to the trial Court for adjudication of the application under Order XL Rule 1 CPC, read with Section 151 CPC. In case of any delay in disposal of the application, it will be open to the petitioner to approach this Court again.

May 28, 2015.
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(M.M.S. BEDI)
JUDGE