

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

(106)

CR No.4679 of 2015

Decided on: August 05, 2015.

Didar Singh

.... Petitioner

Versus

Randhir Singh and others

..... Respondents

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

Present: Mr. Gurjinder Singh Chahal, Advocate,
for the petitioner.

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

The petitioner is aggrieved by an interim order dated 30.05.2015 passed by the lower Appellate Court ordering status quo regarding property.

Perusal of the impugned order indicates that after the dismissal of the application for interim injunction, the plaintiff-respondents opted to file an appeal under Order 43 Rule 1 (r) CPC. The lower Appellate Court on the first date of hearing issued notice to the defendant-petitioner and passed an order of status quo regarding existence of the passage in dispute. The appeal is yet to be decided after hearing the defendant-petitioner. The scope of interference in such an interim order passed by the lower Appellate Court is meager.

This petition is disposed of at this stage as not maintainable without prejudice to the right of the defendant-petitioner to approach this Court again, in case the circumstances so warrant after the decision of the appeal filed by the plaintiff-respondents.

Counsel for the petitioner submits that a direction be issued to the trial Court to expeditiously decide the appeal. It is ordered that in case a

request is made in writing by the defendant-petitioner before the lower Appellate Court, the lower Appellate Court shall make earnest endeavour to dispose of the appeal expeditiously preferably within a period of three months.

(M.M.S. BEDI)
JUDGE

August 05, 2015
harsha