

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-5831-2015
Date of decision-14.10.2015.

JOGINDER PAL AND ANR.

...Petitioners

VS

SUMAN KUMARI AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Vivek K. Thakur, Advocate
for the petitioners.

Mr. S.K. Singla, Advocate
for the respondents No.1 and 2.

RAJ MOHAN SINGH, J. (Oral)

It has been informed that appeal is pending before the Additional District Judge, Kapurthala on 23.10.2015. Both the parties have already appeared before the lower appellate Court. In view of nature of controversy involved in the appeal, particularly in view of the fact that the lower appellate Court has stayed the operation of the judgment and decree of the trial Court, subject to furnishing Bank guarantee to the tune of ₹ 3 lacs by the petitioners-appellant within specified time, this Court deems it appropriate to direct the lower appellate Court to make every sincere endeavour to decide the appeal itself on the date fixed or 15 days thereafter in case of any unavoidable eventuality.

Condition of executing Bank guarantee shall not be insisted upon. In the event of dismissal of the appeal, decree holder will be entitled to seek possession and mesne profit in accordance with law.

Disposed of.

October 14, 2015
SwarnjitS

(RAJ MOHAN SINGH)
JUDGE