

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

C.R. No. 835 of 2015

Date of decision: 13.02.2015

Anil Kumar

....Petitioner(s)

Versus

Hardeep Singh

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Ajay Singla, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Counsel, in the present revision petition filed under Article 227 of the Constitution of India, restricts his relief to the extent that the Appellate Court be directed to decide the stay application filed alongwith the appeal. It is contended that the suit was decreed against the petitioner on 03.02.2014 for ₹34,00,000/- alongwith interest @ 12% per annum from 28.06.2007 and future interest @ 6% per annum till realization. The appeal was filed alongwith the stay application, which is pending in the Court of Ms. Jaswinder Sheemar, Additional District Judge, Mohali. In the meantime, the decree holder filed execution and the residential house of the petitioner has been attached. The petitioner had earlier approached this Court in C.R. No. 8070 of 2014 whereby, liberty was granted to approach the Lower Appellate Court for necessary relief on 28.11.2014 since the case was fixed for 11.02.2015. It is submitted that in pursuance of the said order passed by this Court, an application had been filed before the Lower Appellate Court for preponing the civil appeal. Notice was issued in the stay application for the same date. It is further submitted that now the case has been adjourned to 05.03.2015 and the respondents are not putting in appearance in the application. However, in the meantime, they are also

pursuing the execution.

In such circumstances, it is expected of the Lower Appellate Court that the stay application be decided at the earliest, preferably within a period of 2 months from the receipt of certified copy of the order. Keeping in view the limited relief which has been granted, no notice has been issued to the respondent.

With the above said observations, the present revision petition is disposed of.

13.02.2015
shivani

(G.S. SANDHAWALIA)
JUDGE