

CR-4721-2015

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

CR-4721-2015

Date of Decision: 06.01.2016

Mohinder Singh

... Petitioner(s)

Versus

Gurmeet Singh

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?.
- 2) To be referred to the Reporters or not ?.
- 3) Whether the judgment should be reported in the Digest ?

Present: Mr. Amit Jain, Advocate,
for the petitioner.

Mr. Rajbir Wasu, Advocate,
for the respondent.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant revision has been filed under Article 227 of the Constitution of India for setting aside the order dated 12.11.2014 passed by learned Civil Judge (Jr. Divn.), Jalandhar whereby application moved by the petitioner-defendant to adjourn the case *sine die* till RSA-663-2010 is disposed of, has been dismissed.

I have heard learned counsel for the parties and perused the record.

Initially, respondent-plaintiff filed suit for possession of land in dispute with regard to khasra no.401/1 min. and judgments and

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decrees have been passed by the courts below and the petitioner has preferred RSA No.1663-2010 before this Court. Since the petitioner was alleged to be in illegal possession over the aforesaid property, the respondent-plaintiff also filed a separate suit for damages in respect to the same very property in which issue has already been framed and the respondent has been directed to lead evidence. In the meantime, execution of judgments and decrees passed by the courts below in the suit for possession has been stayed by this Court in RSA No.1663-2010.

Keeping in view the fact that execution of judgments and decrees passed by the courts below on the basis of which the respondent has claimed damages, has been stayed, impugned order dated 12.11.2014 is set aside and instant revision is disposed of with the a direction that the civil court may continue with further proceedings in the civil suit, however, will not pass final order till RSA No.1663-2010 is decided.

Parties will be at liberty to move appropriate application before the concerned court for final decision of civil suit after the disposal of RSA No.1663-2010 by this court.

06.01.2016
parveen kumar

(Paramjeet Singh Dhaliwal)
Judge