

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

**CR No.5686 of 2016
Decided on.02.09.2016.**

Pritam Lal Bali @ Pitamber Lal Bali and others

.....Petitioners

Versus

Rewa Pati and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Kran Vir Nanda, Advocate
for the petitioners.

DARSHAN SINGH, J. (Oral)

The present revision petition has been preferred under Article 227 of the Constitution of India for issuing the directions to the learned Civil Judge (Jr. Division), Ambala to time bound the civil suit and dispose of the same possibly within period of one year.

2. Learned counsel for the petitioners contended that the learned Civil Judge is not taking the effective steps for expeditious disposal of the suit. Respondents-defendants are raising the frivolous objections to delay the proceedings of the case. Defendant no.5 has died and he was sued through his legal representatives. But, later on it was pleaded that the name of his legal representatives have been wrongly mentioned. He contended that the petitioners moved an application before the learned trial Court to direct respondents-defendants no.1 and 2 to disclose the actual and correct particulars of the legal representatives of defendant no.5. He contended that now the case is being adjourned for the

disposal of this application. Thus, he pleaded for issuance of necessary directions to the learned trial Court.

3. I have duly considered the aforesaid contentions.

4. It is an admitted fact that the suit has been filed only on 17.04.2015 before the learned trial Court. From the copy of the interim orders placed on record, it comes out that all the defendants except defendants no.1 and 2 were proceeded against *ex parte*. Defendants no.1 and 2 have pleaded in their written statement that the name of legal representatives of defendant no. 5 are not correct. Thereafter, petitioner has moved an application for giving direction to defendants no.1 and 2 to disclose the actual and correct particulars of the legal representatives of defendant no.5 as they are the relatives of defendants no.1 and 2. Now, the suit is pending for disposal of that application.

5. The supervisory powers under Article 227 of the Constitution of India are to be exercised in exceptional circumstances. The facts and circumstances of the case does not warrant for exercising these extraordinary powers. If, some delay is being caused in disposal of the application, the petitioner can make the request to the learned trial Court to expedite the disposal of that application. Thus, it will not be appropriate to issue any direction by this Court.

6. Thus, the present revision petition having no merits, is hereby dismissed.

02.09.2016

S.khan

(DARSHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No