

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

Civil Revision No.5809 of 2016

Date of Order: 07.09.2016

Anita Jain

..Petitioner

Versus

**Sub Divisional Officer (S), Urban Sub Division,
Uttar Haryana Bijli Vitran Nigam, Industrial Area,
Phase-I, Panchkula**

..Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

**Present: Mr. D.K.Singal, Advocate,
for the petitioner.**

RAJ MOHAN SINGH, J. (Oral)

In this revision petition, petitioners seek issuance of appropriate directions to the trial Court to decide an application under Order 39 Rules 1 and 2 of the Code of Civil Procedure, within a specified period.

In a suit for declaration, plaintiff challenged memo no.727, dated 19.03.2015 and the bill dated 04.06.2015, along with subsequent bills issued by the defendant to be illegal, null and void. An application for interim relief was also moved.

The Additional Civil Judge (Senior Division), Panchkula, issued notice in the suit as well as in the application for grant of interim relief. However, on 30.08.2016, on the basis of process server's report, defendant was ordered to be proceeded against ex-

parte and thereafter case was adjourned for ex-parte evidence of the plaintiff at his own responsibility. No order was passed on an application under Order 39 Rules 1 and 2 of the Code of Civil Procedure. The petitioner moved an application under Section 151 CPC for taking up the case and for issuance of directions to defendant to restore the electricity connection on the second floor of property, in dispute, during pendency of the suit. No order has been passed on that application as yet.

At this stage, this revision can be disposed of by issuing directions to the trial court to decide the application under Order 39 Rules 1 and 2 CPC, as well as the application under Section 151 CPC, filed by the petitioner, on 01.09.2016, within a reasonable time preferably within two weeks from the date of receipt of a certified copy of this order.

Disposed of accordingly.

September 07, 2016
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No