

CR No.722 of 2016 (O&M)
Date of Decision: 12.04.2016

Davinder Pal Singh & anr.Petitioners

Versus

Narinder Pal Singh & ors.Respondents

CORAM: HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Ashish Gupta, Advocate for the petitioners.

Mr. Simranjeet Singh Sarwara, Advocate for respondent
No.1.

Darshan Singh, J.

The present revision petition has been preferred against order dated 5.1.2016 passed by the Civil Judge (Jr. Division), Rajpura, whereby an application moved by the petitioners for staying the execution proceedings during the pendency of the application under Order 9 Rule 13 CPC for setting aside the ex parte judgment and decree dated 25.11.2014, has been dismissed.

2. Learned counsel for the parties have been heard.

3. This fact is not disputed that the application filed by the petitioners under Order 9 Rule 13 CPC for setting aside the ex parte judgment and decree dated 25.11.2014 is still pending. It will not be appropriate to rush with the execution till the decision of that application. So, the execution proceedings pending in the Court of Civil Judge (Jr. Division), Rajpura will remain stayed till the decision of the application under Order 9 Rule 13 CPC moved by the petitioners.

4. On the request of learned counsel for the respondents, the learned trial Court is directed to expedite the disposal of the application under Order 9 Rule 13 CPC. The same may be decided preferably within five months.

5. The present revision petition stands disposed of.

April 12, 2016
ps

(DARSHAN SINGH)
JUDGE