

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

**C.R. No.3760 of 2017**

**Date of Decision:- 23.05.2017**

Jagat Singh

....Petitioner

vs.

Jaspal Singh

....Respondent

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**CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

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Present:- Mr. Vikas Bali, Advocate,  
for the petitioner.

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**DAYA CHAUDHARY, J. (Oral)**

The limited prayer of the petitioner in the present revision petition is for issuance of direction to the Trial Court to decide the application filed under Order 39 Rules 1 and 2 read with Section 151 CPC by respondent-plaintiff as in spite of filing reply to the application, the same is not being decided, whereas, it is pending for the last one year.

Learned counsel for the petitioner submits that interim order has been passed in favour of respondent-plaintiff due to which decision of the application is lingering on. Certain objections have been raised in reply to the application but the same is not being decided. Learned counsel also submits that there is no delay on the part of the present petitioner.

Keeping in view the limited prayer and by considering the submission that the application under Order 39 Rules 1 and 2 read with Section 151 CPC is pending for the last one year and same has not been

decided because of interim order passed in favour of the respondent-plaintiff, the present petition is disposed of without issuing notice to the other party as it may cause not only delay but it will multiply the litigation. The trial Court is directed to make all efforts to decide the application of interim stay preferably on the next date of hearing or by giving one more date but not exceeding a period of one month.

Disposed of.

**May 23, 2017**  
**poonam**

**( DAYA CHAUDHARY )**  
**JUDGE**

**Whether speaking/reasoned**

**Yes**

**Whether reportable**

**No**