

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No. 5324 of 2017 (O&M)
Date of decision: 11.8.2017**

Roshan Lal

...Petitioner

Versus

Municipal Council, Thanesar, District Kurukshetra and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. R.S. Mamli, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against no decision on his application moved under Order 39 Rule 1 and 2 read with Section 151 of the Code of Civil Procedure ('CPC' for short) during pendency of his first appeal, petitioner has approached this Court by way of present revision petition under Article 227 of the Constitution of India, seeking a direction to the respondents-defendants to maintain status quo till decision of the application.

Heard learned counsel for the petitioner.

In view of nature of relief being sought by the petitioner, no notice is required to be issued to the respondents-defendants.

After hearing learned counsel for the petitioner and going through the record of the case, particularly Annexure P-5, which shows that respondents were carrying out the demolition work at the site, present

revision petition is disposed of, with a direction that till the stay application moved by the petitioner under Order 39 Rule 1 and 2 read with Section 151 CPC is decided by the learned first appellate court, parties shall maintain status quo with regard to the suit property. This order is being passed so as to ensure that first appeal of the petitioner may not be rendered infructuous, because of demolition of the suit property.

With the abovesaid observation made and directions issued, instant revision petition stands disposed of, however, with no order as to costs.

11.8.2017

AK Sharma

(RAMESHWAR SINGH MALIK)

JUDGE

Whether Speaking/reasoned : Yes/No

Whether Reportable : Yes/No