

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.7196 of 2017
Date of decision: 13.10.2017

Neha @ Ravi

... Petitioner

Vs.

Sonia Mahant and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Shubhankar Baweja, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Present civil revision petition under Article 227 of the Constitution of India, filed at the hands of defendant No.2, is directed against the order dated 11.08.2017 (Annexure P-11), whereby application of the petitioner for preponement of date of hearing from 26.09.2017 to some earlier date, was declined.

Heard learned counsel for the petitioner.

Earlier, case of the petitioner was listed for hearing on 26.09.2017. Said date of hearing was sought to be preponed at the hands of the petitioner, by moving an appropriate application before the learned Additional District Judge. Said application of the petitioner was dismissed by the learned first appellate

Court vide its impugned order dated 11.08.2017 on the ground that there was heavy pendency of old cases.

Thereafter, when the case came up for hearing on 26.09.2017, counsel for the parties did not advance their arguments and learned proxy counsel appeared, seeking adjournment on the ground that the learned arguing counsel were not available. On the request made on behalf of both the parties, learned Court below adjourned the case to 06.01.2018 vide its order dated 26.09.2017 (Annexure P-12), which is not even under challenge in the present revision petition. In view of the above, no fault can be found with the impugned order passed by the learned Court below and the same deserves to be upheld.

In fact, the present revision petition would not be maintainable because it had already been rendered infructuous, after adjournment of the case on 26.09.2017 and that too on the request made by learned counsel for the parties.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that since no illegality or perversity has been found in the impugned order, the same deserves to be upheld. The revision petition having been found wholly misconceived, bereft of merit and without any substance, must fail. No ground for interference has been made out.

However, before parting with the order and on the repeated requests made by learned counsel for the petitioner, learned Court below is directed to ensure early disposal of the appeal, as the petitioner is alleging violation of the

stay order at the hands of the respondents.

Resultantly, with the abovesaid observations made and directions issued, present revision petition stands dismissed, however, with no order as to costs.

13.10.2017
vishnu

[RAMESHWAR SINGH MALIK]
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No