

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

CR No.8019 of 2017
Date of decision : 15.11.2017

Mohan Singh (deceased) through his LR Avtar Singh

...Petitioner

Versus

Dharmik Asthan and Shamshan Ghatt Sudhar Committee and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kanhiya Soni, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Legal representative of the petitioner is in revision petition against the order dated 26.10.2017 passed by the Executing Court refusing to stay the execution proceedings.

Learned counsel for the petitioner has submitted that against the judgment and decree, first appeal is pending. He has submitted that alongwith appeal, application under Order 41 Rule 5 CPC has been filed which is also pending for the last 1 year and 9 months i.e. since 02.02.2016.

Taking into consideration these facts, the learned First Appellate Court is requested to dispose of the application for injunction within one week from the date of receipt of certified copy of the order. Till then, the Executing Court shall not proceed with the execution petition.

However, this injunction would operate only for a period of one week i.e. till the application for injunction is decided by the Appellate Court.

In view of the above, the revision petition is disposed of.

15.11.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No