

Date of decision: February 07, 2017

...Petitioner

Versus

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ravinder Kumar, Advocate
for the petitioner.

JASPAL SINGH, J.(ORAL)

By virtue of the instant revision petition preferred under Article 227 of Constitution of India, petitioner has sought the issuance of a direction to the Court of Additional Civil Judge (Senior Division), Charkhi Dadri, District Bhiwani to decide an application moved under Order XXXVIII, Rule 5 of Code of Civil Procedure and Suit No.13 dated 29.01.2016 for recovery.

Undisputably, an application was moved under Order XXXVIII, Rule 5 CPC along with the plaint which is being adjourned time and again without any cogent reason since the date of its institution i.e. 29th of January, 2016. Thus, the trial Court is directed to dispose of the application moved under Order XXXVIII Rule 5 CPC after hearing the parties within a period of one month from the date of receipt of certified copy of this order. As for the direction to decide the suit is concerned, there is no justification for the same. As such, request in this regard is declined.

Revision petition stands disposed of, accordingly.

February 07, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned : **Yes/No**

Whether Reportable	:	Yes/No
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