

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.1216 of 2018

Date of Decision.04.05.2018

Mandeep Singh

.....Petitioner

Vs

Tarsem Singh Bhatti (since deceased) through LR

.....Respondent

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. S.P. Soi, Advocate
for the petitioner.

Mr. Ashok Giri, Advocate
for the respondent.

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AMIT RAWAL J.(ORAL)

The present revision petition at the instance of the petitioner-defendant is directed against the order of the lower Appellate Court whereby the application under Order 39 Rule 1 and 2 CPC has been allowed vide order dated 5.1.2018 while setting aside the order dated 17.10.2017 of the trial Court vide which the application had been dismissed.

While issuing notice of motion on 09.03.2018, this Court had stayed the operation of the order of the lower Appellate Court.

Mr. Ashok Giri has put in appearance on behalf of the respondent-plaintiff and submitted that the suit is of the year 2014 and the revision petition can be disposed of with a direction to the trial Court to dispose of the suit as expeditiously as possible but till then status quo qua suit property and further alienation by any of the parties be maintained.

Mr. Soi learned counsel for the petitioner-defendant submitted that the suit property has already been alienated but did not oppose to the aforementioned prayer of the counsel for the respondent-plaintiff.

In view of the statement made by the counsel for the respondent, the revision petition is disposed of with a direction to the trial Court to decide the suit as expeditiously as possible after affording four-four opportunities to each party within a period of one year.

Mr. Soi further submitted that the suit property has already been alienated, in essence, any further alienation would be restrained and the alienation already made may not be construed to be violation of the status quo order unnecessarily causing harassment to the petitioner.

In view of the aforementioned, there shall be status quo qua further alienation and the alienation already made will be subject to doctrine akin to *lis pendens* in case the plaintiff succeeds in the suit. No observation of mine shall be construed as an expression on the merits of the pending suit.

The revision petition is disposed of in the above terms.

(AMIT RAWAL)
JUDGE

May 04, 2018
Pankaj*

Whether reasoned/speaking	Yes
Whether reportable	No