

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.2210 of 2016
Date of decision:06.12.2018

Lakhwinder Singh

... Petitioner

Vs.

Gurmukh Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. K.B.SMann, Advocate
for the petitioner.

Mr. P.B.S.Goraya, Advocate
for the respondent.

AMIT RAWAL J. (Oral)

The present revision petition is directed against the declining of an application moved under Order 9 Rule 13 CPC for setting aside the ex parte judgment and decree dated 04.12.2013 in a suit for specific performance.

The notice of motion in this case was issued on 01.08.2016. However, this Court, vide order 11.11.2016, stayed further execution proceedings before the Executing Court.

Learned counsel for the respondent submitted that an application under Order 9 Rule 13 CPC is pending adjudication.

Since the interim order is continuing for more than 02 years, I deem it appropriate to dispose of the revision petition by issuing directions to the Executing Court to decide the application under Order 9 Rule 13 CPC

within a period of six months from the date of receipt of certified copy of this order by affording effective opportunity to the parties to the lis in accordance with law. The order dated 11.11.2016 is made absolute.

The revision petition stands disposed of.

(AMIT RAWAL)
JUDGE

December 06, 2018
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No