

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 129

CR-5220-2018

Date of decision : 13.08.2018

Tarlok Singh Virdi

..... Petitioner

VERSUS

Surinder Kumar

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. H. S. Sandhu, Advocate, for the petitioner.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Article 227 of the Constitution of India, the petitioner seeks early disposal of his appeal pending before the Additional District Judge, Jalandhar (for short, the Appellate Court) titled as “Tarlok Singh Virdi vs. Surinder Kumar etc.”.

The record reveals that the respondent/plaintiff had filed a suit seeking therein possession by way of specific performance of agreement dated 21.07.2007 allegedly executed between the petitioner and the respondent. Through judgment and decree dated 05.09.2016, the Trial Court partly decreed the suit and held the respondent entitled to recover from the petitioner US \$ 80000 alongwith interest @ 6% per annum or in equivalent amount in Indian rupees. The petitioner challenged the aforesaid judgment and decree dated 05.09.2016 through an appeal which is still pending. The present petition has been filed to seek early disposal of the appeal.

Learned counsel for the petitioner has been heard.

The petitioner is a senior citizen whose appeal is pending before the Appellate Court for nearly two years. Interim orders passed by the Appellate Court reveal that the appeal had been adjourned on several

occasions primarily on the ground that the same was not listed for arguments. A final adjudication of a matter would prejudice none as either party to the litigation is interested in the final crystallization of their rights.

In view of the above, the present petition is disposed of with a direction to the Appellate Court to finally adjudicate upon the aforesaid appeal filed by the petitioner in accordance with law within three months from the date of receipt of a certified copy of this order.

If the respondent is aggrieved by this order, he is at liberty to approach this Court through an appropriate application.

13.08.2018

shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No