

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

CR No. 7180 of 2018

Date of Decision: 22.10.2018

Mohan Lal

.....Petitioner

Vs.

Satyender Kumar and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Rishi Pal Singh, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel for the petitioner submits that he is only aggrieved of the impugned order Annexure P-5, to the extent that the appeal, the cross-objections and the application under Order 41 Rule 27 CPC have all been clubbed together, with nothing stated on the application under Order 41 Rule 5 CPC, on which an interim order had been passed on 27.09.2018 (copy annexure P-3). Thus, he submits that the application under Order 41 Rule 5 needs to be decided finally prior to the hearing of the appeal and the cross-objections.

He however, does not object to the cross-objections and the application under Order 41 Rule 27 being heard along with the main appeal.

Consequently, this petition is disposed of with a direction to the learned trial Court that unless the appeal itself is being finally decided on 08.12.2018 alongwith the cross-objections and the application under Order 41 Rule 27 CPC, the application under Order 41 Rule 5 CPC would be decided

on that date itself, if the appeal, the cross-objections and the other application under Order 41 Rule 27 CPC are being adjourned for hearing to a different date.

October 22, 2018
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.