

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

**Crl. Rev. (F) No. 24 of 2017 (O&M)
Date of decision : 21.08.2018**

Vikas Walia

.....Petitioner(s)

Versus

Madhu

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. R.K. Shukla, Advocate
for the petitioner.

Mr. R.P.S. Ahluwalia, Advocate
for the respondent.

ANITA CHAUDHRY, J.

Learned counsel for the respondent says that this petition has been rendered infructuous as the main petition has been decided.

Counsel for the petitioner contends that there was a stay in operation and the trial Court had proceeded to hear and has finally decided the matter despite a stay order. The counsel refers to the order passed on 23.01.2017. It does show that the trial Court was directed not to pass the final order but only till 03.02.2017 to enable the petitioner to deposit Rs.90,000/-. It was further ordered that in case, the petitioner deposited that amount then the proceedings before the trial Court would remain stayed till the next date of hearing. The case was thereafter adjourned to 14.02.2017.

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The counsel urges that though on the next date there is no specific order for extension of stay but was inadvertently left out but interim order was continued and the trial Court has decided the matter immediately thereafter.

On perusal of the order dated 23.01.2017, it is clear that the stay was only till 14.02.2017. The petitioner did comply with the order and had deposited Rs. 90,000/- within the time limit given to him but subsequently, the stay was not extended and there was no stay and the trial Court had finally decided the matter. In view of this, this petition becomes infructuous.

Accordingly, the petition is dismissed as infructuous.

21.08.2018

Sunil

**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No