

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

**CR No.594 of 2019(O&M)
Date of Decision: 06.02.2019**

**Vijay Prakash Goel
Versus
Vinod Kumar and others**

**.....Petitioner

.....Respondents**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Munish Gupta, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

[1]. Learned counsel for the petitioner submitted that this case has chequered history. The original litigation started between the parties in the year 1967. On earlier occasions, the litigation arising out of preliminary decree came to this High Court in RSA No.2219 of 1979 and the same was disposed of by modifying the shares of the parties in partition. Thereafter, another RSA No.1777 of 1987 came to be decided by the High Court on 24.02.2014. The said RSA had arisen from a suit for permanent injunction against the predecessor(s)-in-interest of the present objectors (whose objections have now been ordered to be decided by following proper procedure).

[2]. Learned counsel further contended that the petitioner at this stage, confines his prayer only to the extent of issuing

direction to the executing Court to decide the pending execution at the earliest.

[3]. In my opinion, the prayer is fair enough to direct the executing Court to make every possible endeavour to decide the objections filed by the objectors within reasonable time. Since the issues have already been framed, the executing Court shall adjourn the proceedings by giving short dates and shall make positive endeavour to decide the execution at the earliest preferably within a period of nine months from the date of receipt of certified copy of this order. In case of any contingency, liberty is granted to the executing Court to move proper application for extension of time before this Court in accordance with law.

[4]. Disposed of accordingly.

06.02.2019

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**(RAJ MOHAN SINGH)
JUDGE**

**Whether reasoned/speaking
Whether reportable**

**Yes/No
Yes/No**