

CR-5691-2016 (O&M)

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

CR-5691-2016 (O&M)

Date of decision : 18.01.2019

M/s Pargat Singh Sham Lal and another

... Petitioners

Versus

Teja Singh (deceased) through his LRs

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. S.S. Gurna, Advocate
for the petitioners.

Mr. Ashok Sharma, Advocate
for the respondents.

AMIT RAWAL, J. (ORAL)

The short point involved in the present revision petition is whether the judgment and decree which has attained the finality and is pending adjudication in the regular second appeal, decree holder can be permitted to avail the remedy of Order 21 Rule 29 of CPC for staying of the decree and an audacity after dismissal of the application to list the present revision petition with regular second appeal. The answer is 'No', for, a specific remedy of obtaining the interim stay is provided, the petitioner cannot be permitted to circumvent the provisions of law.

No ground is made out for interference. Accordingly, the present revision petition stands dismissed.

18.01.2019

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**