

In the High Court of Punjab and Haryana at Chandigarh

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CR No. 7174 of 2018 (O&M)

Date of decision: 22.5.2019

SANTOKH SINGH

.....petitioner

Versus

SADHU SINGH

.....respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.C.S.Jattana, Advocate,
for the petitioner.

Mr.P.C.Chaudhary, Advocate
for the respondent.

RAJ MOHAN SINGH, J.(oral)

This revision petition has been filed by the petitioner against the order dated 1.10.2018 passed by the lower Appellate Court, staying the execution of judgment and decree dated 1.2.2018 passed by the trial Court and also holding that the application filed by the petitioner under Order 39 Rules 1 and 2 CPC is misconcieved.

It can be noticed that in the earlier suit filed by the petitioner and his collaterals, the prayer in terms of Order 39 Rules 1 and 2 CPC was declined by the trial Court and the said order was upheld right up to the High Court.

In view of the aforesaid facts, particularly when partition proceedings have already culminated in the year 2017, no interference is called for in this revision petition. Lower Appellate Court is directed to decide the pending appeal either on the next date of hearing or within a reasonable time thereafter.

Petition stands disposed of accordingly.

May 22, 2019
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(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/Speaking

Yes/No

Whether reportable

Yes/No