

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 116

Civil Revision No.3248 of 2019

Date of Decision: May 16, 2019

Sunil Dewan

..... PETITIONER

VERSUS

Gobind Sahai Dewan & others

..... RESPONDENTS

. . .

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

. . .

PRESENT: - Mr. Pranav Handa, Advocate, for the petitioner.

. . .

Kuldip Singh, J (Oral)

Impugned in this revision petition is order dated 20.04.2019 (Annexure P-1) passed by learned Civil Judge (Senior Division) (NRI Cases), Jalandhar, vide which, an application filed on behalf of defendant No.21 for staying the proceedings in suit was dismissed.

It comes out that there as many as 82 defendants who are co-sharer in the property. The relief of partition of property has been prayed for which is gair Mumkin and therefore the suit has been filed before the Civil Court. Stay of the proceedings in suit has been sought on the ground that appeal against the mutation order is pending before the Financial Commissioner (Appeals), Punjab.

I am of the view that Civil Court is to determine the rights of the parties in the present case and mere pendency of some proceedings regarding mutation before the Financial Commissioner is no ground to stay the proceedings, rather the case is required to be decided expeditiously.

Dismissed.

May 16, 2019
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(Kuldip Singh)
Judge

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No