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

CR No. 5256 of 2019 (O&M)
Date of Decision: 30.08.2019

Gurdev Singh

-Petitioner

Vs

Sarabjit Kaur and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sharad Mehra, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Grievance of the petitioner appears to be that a stay application in the main appeal i.e. CMA No.30 of 2019 titled 'Gurdev Singh vs Sarabjit Kaur' is pending consideration before the lower Appellate Court for today.

The Additional District Judge was pleased to issue notice in the appeal as well as in the application for 26.07.2019 and thereafter, it was adjourned for today.

In the execution proceedings, Additional Civil Judge (Senior Division), Tarn Taran has also appointed Reader of the Court to get the sale deed executed by process of the Court. The report is required to be submitted by the local Commissioner on 21.09.2019.

Apprehension of the petitioner is that the sale deed can be executed at any stage before the date fixed i.e. 21.09.2019 and his appeal will become infructuous.

In view of nature of order which this Court proposes to pass, there is no necessity of issuing any notice to the respondents as the same would further delay disposal of present revision petition.

At this stage, learned counsel has brought order dated 28.08.2019 passed in Civil Revision No.5164 of 2019 titled 'Surjit Kaur vs Sarabjit Kaur and another' in which this Court has directed the lower Appellate Court to decide the pending miscellaneous application for stay either on the date fixed i.e. today or within 10 days thereafter. Respondents in the aforesaid revision petition are the same.

In view of aforesaid position, the lower Appellate Court shall consider the present case also at par with the directions issued in Civil Revision No.5164 of 2019.

Disposed of.

30.08.2019
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No