

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

**CR No.5219 of 2019 (O&M)
Date of Decision : 05.09.2019**

Rakesh and another

.....Petitioners

Versus

Kanwar Singh @ Bansi and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Ram Darshan Yadav, Advocate
for the Petitioners.

SUDIP AHLUWALIA, J. (ORAL)

CM No.17876-CII-2019

For the reasons mentioned in the application, the Applicant/
Petitioners are permitted to place on record the *Zimni* Orders
(Annexure P-4 to P-17), subject to all just exceptions.

Application stands disposed off.

CR No.5219 of 2019

The grievance of the Petitioners, who are the Appellants in
Civil Appeal No.188 of 2017, pending in the Court of Ld. Additional
District Judge, Rewari, is that no order on their Stay Application filed
along with the Appeal way back in April 2017, has, till date, been
passed by the Ld. Appellate Court, even though the Respondents/
Decree Holders are proceeding ahead with the Execution.

2. In view of the nature of order this Court intends to pass, there is no need to issue any notice upon the Respondents, at this stage, as, such a course could only lead to further avoidable delay.

3. It transpires that the matter is now pending before the Ld. Lower Appellate Court on the 10th of this month while the date fixed before the Ld. Executing Court happens to be 7th September, 2019.

4. In the circumstances, the present Revision Petition is disposed off with a direction upon the Ld. Appellate Court at Rewari to pass an appropriate order upon the Petitioners' pending Stay Application, which is part of the Memorandum of Appeal (Annexure P-2), on the date already fixed or as soon thereafter as practicable after hearing both sides. Till then, the execution of the warrants of possession issued by the Ld. Executing Court, shall remain stayed.

September 05, 2019
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No