

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

118

CR-6757-2019

Date of Decision : October 24, 2019

SAVITRI

.....Petitioner

VERSUS

SAURABH YADAV AND OTHERS

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Gopal Sharma, Advocate
for the petitioner.

NIRMALJIT KAUR, J. (Oral)

The revision is filed for setting aside the order dated 4.10.2019 whereby the application dated 13.8.2019 for staying the execution proceedings till the final decision of the application under Order 9 Rule 13 read with Section 151 CPC was dismissed.

It is not disputed that the application under Order 9 Rule 13 read with Section 151 CPC is still pending and no stay has been granted.

It is stated that the said application was filed way back on 4.12.2018. It is further admitted that the respondents have not been served till date.

It is not understood as to how the respondents could not be served for such a long time especially taking into account that the respondents are very much pursuing the execution petition. Obviously, the petitioner herself is delaying the matter. However, in the interest of justice, the present revision petition is disposed of with a direction to the

concerned Court where the application under Order 9 Rule 13 read with Section 151 CPC is pending to decide the same as expeditiously as possible preferably within three months from today even if the date of the said application has to be pre-poned.

However, the Executing Court shall not proceed further with the execution petition till the said application under Order 9 Rule 13 read with Section 151 CPC is disposed of. However, the stay shall stand vacated in case for any reason if the present petitioner delays the finalization of the said application under Order 9 Rule 13 read with Section 151 CPC.

October 24, 2019
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(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No