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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Civil Revision No.7243 of 2019

Date of Decision: 16.11.2019

Mohinder Singh and others

..... Petitioners

Versus

Satnam Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Simranjeet Singh Sarwara, Advocate,
for the petitioners.

SUDIP AHLUWALIA, J. (ORAL)

Submits *inter alia* that the petitioners had filed a regular stay application along with their appeal (Annexure P-2), but no order on the same was passed and it was initially adjourned to 4th of September, 2019.

2. Thereafter, the petitioners' prayer for preponement and stay was rejected vide the impugned order, and till now the matter has not been taken up for hearing. It has now been posted to 8th of January, 2020 for that purpose and the intervening adjournments were never attributable to the petitioners.

3. In the given circumstances, this Court is of the opinion that issuing notice upon the respondents at this stage would only lead to an avoidable delay.

4. The present revision petition is, thus, disposed off with liberty to the petitioner to approach the Ld. Appellate Court again for filing an application seeking preponement after issuing notice to the other side within fortnight from today. In such situation, the Ld. Appellate Court shall pass an

appropriate order on the petitioners' application for stay, whether or not, it is able to hear the appeal finally on merits.

5. Till such time, as the petitioners' stay application is taken up for consideration by the Ld. Appellate Court, proceedings in execution against the petitioners shall remain stayed, and the Ld. Appellate Court shall pass its own order independently on the stay application without being influenced by any of the observations made in this order.

16.11.2019

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No