

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

CR No.14354 of 2018

Date of Decision: 07.02.2019

Maninder Kaur

Petitioner

Versus

Tara Chand and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ashish Gupta, Advocate
for the petitioner.

AVNEESH JHINGAN, J (Oral):

Petitioner is aggrieved of the order dated 14.11.2018 passed by the Executing Court declining to stay the execution proceedings merely on the ground that the appeal is pending.

Learned counsel for the petitioner states that stay application has been filed in the appeal, notice has been issued, but the same is not being decided.

There is no doubt that in case the said application is pressed, the same shall be decided expeditiously by the appellate Court. There is no quarrel on proposition that mere pendency of appeal cannot be construed as stay, but as the stay application is pending, same has to be decided either way.

The civil revision petition is disposed of accordingly.

**[AVNEESH JHINGAN]
JUDGE**

February 07, 2019

reema/pankaj

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