

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

CR No.11624 of 2018

Date of Decision : 06.03.2019.

Sanjay Sharma

...Petitioner

Versus

Raj Kumar

....Respondent

CORAM : HON'BLE MR. JUSTICE B.S.WALIA

Present: Mr. Robin Dutt, Advocate for the petitioner.

Mr. Amarbir Singh Pahwa, Advocate for the respondent.

B.S.WALIA, J. (Oral)

1. Revision petition has been filed under Article 227 of the Constitution of India, challenging order dated 10.2.2018, passed by the learned Civil Judge (Junior Division), Ludhiana, declining to stay the execution proceeding during the pendency of application under Order 9 Rule 13 of Code of Civil Procedure (hereinafter referred to as 'CPC').

2. Heard learned counsel for the parties.

3. In view of application under Order 9 Rule 13 CPC pending decision, it would be in the fitness of things that the execution proceedings are stayed till the decision of application under Order 9 Rule 13 CPC, in terms of the decision of this Court in Amrik Singh vs. Jasbir Singh 1996 (1) CCC 103 and Davinder Pal Singh and another vs. Narinder Pal Singh and others 2016 (3) RCR (Civil) 194 subject to the petitioner depositing the arrears of rent and mesne profits within four weeks from today as ordered by the learned Civil Judge (Junior Division), Ludhiana. However, disbursal

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of the same shall not be made and would be subject to the outcome of the decision on the application under Order 9 Rule 13 CPC.

4. Revision petition disposed of in aforementioned terms.

(B.S.WALIA)
JUDGE

06.03.2019

rajesh.k.khurana

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No