

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

CR-1892-2020

Date of decision-08.09.2020

Sanjeev Kumar and another

...Petitioners

Vs.

Madhu Bala

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashok Sharma, Advocate and
Ms. Gauri Sharma, Advocate for the petitioners.

MANOJ BAJAJ, J.

Petitioners have filed this writ petition under Article 227 Constitution of India for issuance of directions for expeditious disposal of the petition bearing No.FD-32-2017, filed by them for passing the final decree in suit for partition, pending before the Court of Civil Judge (Junior Division), Jalandhar.

Learned counsel for the petitioners has contended that Civil Suit No.54843-2013, brought by the petitioners for separate possession by partition was allowed and the preliminary decree was drawn on 25.05.2015. The appeal against the said decree was decided on 29.07.2015 with slight modification. Learned counsel has invited the attention of the Court to the petition filed by the petitioners before the Court of Civil Judge (Junior Division), Jalandhar, wherein they have prayed for passing the final decree for partition of the land in question. Learned counsel has contended that the said proceedings are quite old and the petition for final decree (Annexure P-7) is also pending for almost three years, which is not making any progress. He prays that the necessary directions be issued for expeditious disposal of the petition.

After hearing learned counsel for the petitioners, this Court finds that issuance of notice to the other side is not necessary as the nature of this order would not cause any prejudice to them. However, it shall be open for them to make a prayer for recalling this order, in case the petitioners have misled this Court.

This Court is cognizant of the prevailing situation in the country because of the spread of the global pandemic, namely, COVID-19 and the Government of India and various State Governments etc have imposed restrictions to contain the disease. The Courts in the States of Punjab and Haryana are also functioning with restrictions and with lesser staff.

Keeping in view of the above unusual conditions, the petition is disposed off with a request to the trial Court to expeditiously decide the petition by adhering to the safety measures already adopted for containing the spread of the disease. It is further clarified that as and when the functioning of the Courts returns to normal, and in case the petition still remains pending, the same be decided preferably within next six months.

(MANOJ BAJAJ)
JUDGE

08.09.2020

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