

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

(Heard through VC)

CR No.1918 of 2020 (O&M)
Date of Decision: June 16, 2020

Avtar Singh

...Petitioner

Versus

State of Haryana through Naib Tehsildar and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Surender Dhull, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

By way of instant civil revision petition filed under Article 227 of the Constitution of India, the petitioner is seeking a direction to the trial court to decide his application filed under Order 39 Rule 1 and 2 CPC expeditiously.

Learned counsel for the petitioner would argue that the civil suit was filed on 02.03.2020 along with an application under Order 39 Rule 1 and 2 CPC by the petitioner, notice of which was issued for 09.03.2020 and service has been effected. It is contended that despite giving due opportunities to the respondent-State, no reply was filed to the said application and now the matter has been adjourned to 29.08.2020 due to Covid-19 pandemic situation. It is argued that in the meantime, the concerned Patwari has given oral notice to the petitioner for change of the

jamabandi and to initiate proceedings for taking possession of the suit land.

Notice of motion.

At this stage, Mr. Gaurav Jindal, Addl. AG Haryana, accepts notice on behalf of the respondent-State and submits that the instant revision may be disposed of, by giving a direction to the trial court to decide the said application in a time bound matter.

Counsel for the petitioner is not averse to the suggestion made.

I have heard counsel for the parties and in view of the limited prayer made, the instant civil revision is disposed of by giving a direction to the trial court to decide the application filed by the petitioner under Order 39 Rule 1 and 2 CPC within a period of three months from the date of receipt of certified copy of this order. However, the respondent-State shall not change the revenue record in the interregnum.

It is made clear that any observation made by this court is only for the purpose of deciding the instant civil revision and the same shall have no bearing on the merits of the case.

June 16, 2020

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No