

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CR No.407 of 2021

Date of Decision: 25.02.2021

Parmod Kumar and others

....Petitioners

VERSUS

Raghubir Singh and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Yash Dev Kaushik, Advocate for the petitioners.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

A limited prayer in the present petition filed under Article 227 of the Constitution of India is for issuance of appropriate directions to the learned Additional District Judge, Palwal to decide the appeal bearing No.186/2018 dated 24.04.2018 titled as "Parmod vs. Raghubir Singh" in a time bound manner.

Learned counsel for the petitioners would contend that the appeal pending before the Court of Additional District Judge, Palwal has emanated out of a suit for declaration and permanent injunction filed by the plaintiff-respondent Nos.1 to 3 by submitting that they are owners in possession of agricultural land bearing Rect. No.71, Killa No.17/01 (7-15), 18 (8-0), 23 (7-9) total measuring 23 kanals 4 marlas situated within the revenue estate of village Chhaprola, Tehsil and District Palwal. The suit filed by the plaintiff-respondent Nos.1 to 3 was decreed by the Trial Court vide judgment and decree dated 30.03.2018. Aggrieved by the said judgment

and decree, the defendant-petitioners preferred first appeal before the lower Appellate Court which was registered on 24.04.2018 and since 12.04.2019 the case has been fixed for arguments. However, till date, the arguments have not been heard. Learned counsel for the petitioners states that the only limited prayer he is making in the present petition is that the appeal may be disposed off expeditiously.

I have heard learned counsel for the petitioners.

In view of the fact that the present petition is not being decided on merits, there is no requirement of issuing notice of motion to the respondents. In view of the averments made in the petition and the submissions made by learned counsel for the petitioners, the present petition is disposed off with a request to the learned Additional District Judge, Palwal to decide the appeal bearing no.186/2018 dated 24.04.2018 titled as “Parmod vs. Raghubir Singh” expeditiously, preferably within a period of three months from the date of receipt of certified copy of this order.

Disposed off.

(ALKA SARIN)
JUDGE

25th February, 2021
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO