

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

**106**

**Civil Revision No.1050 of 2021 (O&M)  
Date of Decision: June 28, 2021**

Mahabir

**.....Petitioner.**

**VERSUS**

Smt. Bala @ Rajbala and others

**.....Respondents.**

**CORAM:- HON'BLE MR. JUSTICE G. S. SANDHAWALIA**

Present: Mr. Chanderhas Yadav, Advocate  
for the petitioner.

(The proceedings are being conducted through video  
conferencing, as per instructions)

\*\*\*\*\*

**G.S. SANDHAWALIA, J.**

Challenge has been made by defendant No.1 in the civil suit by filing present civil revision under Article 227 of the Constitution of India to the order dated 19.10.2020 (Annexure P-7), whereby learned Civil Judge (Junior Division), Jhajjar has extended the interim order dated 18.12.2017 (Annexure P-3).

Perusal of the impugned order shows that on 18.12.2017, the defendants including defendant No.1-petitioner were restrained from alienating the suit property and the order had continued for such a period of more than one year. But on 17.12.2018, it was not continued, resultantly, the plaintiffs filed an application for continuation of the stay order, which was allowed vide impugned order (Annexure P-7). Thus, apparently, there is no such illegality in the impugned order, which the petitioner could complain

of.

However, learned counsel for the petitioner submits that he has filed an application for reviewing both the order dated 18.12.2017 and 19.10.2020 on the ground that he wants to sell his self-acquired property for his daughter's marriage. It is his case that the said application is now listed for 24.11.2021 on account of restricted court hearings. He submits that he would be satisfied, if the hearing is done on the said application and also on the application under Order 39 Rules 1 and 2 CPC since the pleadings are stated to be complete. Thus, he prays for the limited relief that the trial Court should decide the applications at the earliest.

Hence, without commenting on the merits of the case, in any manner, keeping in view the alternate plea as such which has been taken, learned Civil Judge (Junior Division), Jhajjar will make efforts to decide the application under Order 39 rules 1 and 2, if an application for preponement is filed by the petitioners. Such course of action would be done after putting all the contesting respondents to notice including the plaintiffs as such. The necessary exercise be completed within a period of two months from the date of receipt of certified copy of this order.

The civil revision is disposed off with such directions.

**June 28, 2021**

*Sachin M.*

**( G. S. SANDHAWALIA )**  
**JUDGE**

*Whether speaking/reasoned:*

*Yes/No*

*Whether Reportable:*

*Yes/No*