

Civil Revision-1163-2021

Priya Vart

V/S

STATE OF PUNJAB AND OTHERS

(Through video conferencing)

Present: Mr. Ishan Gupta, Advocate for the petitioner.

This revision petition has been filed by the petitioner impugning order dated 27.05.2021, Annexure P-1, passed by the Court of Civil Judge, Senior Division, Sangrur, in civil suit titled Priya Vart Vs. State of Punjab, whereby arrest of the petitioner was stayed, but defendant/respondents were given liberty to initiate the recovery proceedings with regard to arrears against her.

Notice of motion.

Mr. Nikhil Chopra, Addl. AG, Punjab who is having advance copy of the petition has accepted notice on behalf of the respondents.

Both the counsels admitted that the stay application moved by the petitioner under Order 39 Rule 1 and 2 CPC is still pending disposal for the last about 1 year. As in this case, the stay application of the petitioner moved under Order 39 Rule 1 and 2 CPC, is pending since the institution of the suit which was filed in 2018, no observation regarding merits of the case could be made at this stage.

Thus, without commenting on the merits of the case, the present revision petition is disposed of with a direction to the Court of Civil Judge, Senior Division, Sangrur to decide the stay application of the petitioner in accordance with law within a period of thirty days of the passing of this order, after hearing both the parties. The operation of the impugned order to the effect that recovery of arrears could be effected

from the petitioner, is to be kept in abeyance for the period of one month from today. The copy of this order be sent immediately to the office of District and Sessions Judge, Sangrur through electronic mode like e-mail, fax, etc, for strict compliance.

Disposed of accordingly.

(KARAMJIT SINGH)
JUDGE

June 08, 2021
PC