

**In the High Court of Punjab and Haryana, at Chandigarh**

**Civil Revision No. 1509 of 2018**

**Date of Decision: 20.09.2022**

Gram Panchayat Magrala

... Petitioner(s)

Versus

Chanan Singh and Others

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**

Present: Mr. Sandeep Arora, Advocate  
for the petitioner(s).

**Anil Kshetarpal, J.**

1. The first appeal, filed by the respondents, is stated to be pending. The First Appellate Court has, in exercise of its discretion, granted a stay on the execution of decree. The correctness of the said order has been assailed in this revision petition.

2. From the reading of the order, it is evident that the Appellate Court has considered the various aspects of the matter while staying the execution, thereby restraining the Gram Panchayat from demolishing the property in dispute, during the pendency of the appeal.

3. Heard the learned counsel representing the petitioner, at length and with his able assistance, perused the paper-book.

4. The learned counsel representing the petitioner submits that the trial Court vide order dated 13.10.2017 has ordered demolition of the building after observing that the respondents are guilty of violating the injunction order granted in the suit. He submits that in such circumstances,

the First Appellate Court should not have granted a stay on the execution of decree, thereby restraining the Gram Panchayat from carrying out the demolition during the pendency of the appeal.

5. The First Appellate Court has found that the respondents are residing in the property in dispute. In such circumstances, the order passed by the First Appellate Court is not without any jurisdiction.

6. Keeping in view the aforesaid facts, no ground is made out to interfere. Hence, the present revision petition is dismissed. However, the First Appellate Court is directed to decide the pending appeal within a period of three months, from today, positively.

**(Anil Kshetarpal)**  
**Judge**

**September 20, 2022**  
**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No