

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

CR-174-2022 (O&M)

Date of decision: 27.09.2022

Saudagar Singh and others

....Petitioners

Versus

Dharamjit Singh

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Jagpal Singh, Advocate for the petitioners

Mr. Rakshit Gupta, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

On 20.01.2022, the following order was passed by this

Court:-

“The case has been taken up for hearing through video conferencing.

*Learned counsel for the petitioners contends that vide order dated 11.10.2019, execution of sale deed was ordered to be stayed by the Additional District Judge, Rupnagar till further orders. Thereafter, in view of **Criminal Appeal Nos.1375-1376 titled Asian Resurfacing of Road Agency Vs. Central Bureau of Investigation**, the case was adjourned by Civil Judge (Senior Division), Rupnagar for filing draft sale deed by the decree holder for 06.01.2022. Now the case is fixed for 11.02.2022 for filing draft sale deed. Learned counsel further submits that in case, the execution is allowed to be carried out during pendency of the first appeal before the Additional District Judge, Rupnagaar, the very purpose of filing the appeal would be frustrated and the cause of action would lapse, which is otherwise required to be preserved during pendency of the first appeal.*

Notice of motion for 16.03.2022.

Till the next date of hearing, executing Court shall defer the proceedings beyond the date fixed by this Court.”

Learned counsel representing the parties are ad idem that the first appeal filed by the petitioners is pending for 20.10.2022. They submit that let the First Appellate Court be requested to decide the pending first appeal on 20.10.2022 or within a period of one month, thereafter.

Keeping in view the aforesaid facts, the revision petition is disposed of with the observations that the interim order dated 20.01.2022 shall continue to operate till the decision of the first appeal.

All the pending miscellaneous applications, if any, are also disposed of.

27.09.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE