

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

(130)

CR-1571-2022

Date of Decision : 28.04.2022

Sanjiv Thakur and Another

.....Petitioners

Versus

Kaushalya Devi

.....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Rahul Jaswal, Advocate for the petitioners.

ALKA SARIN, J. (Oral)

Prayer in the present petition filed under Article 227 of the Constitution of India is for setting aside order dated 12.04.2022 (Annexure P-6) passed by the learned Additional District Judge, Hoshiarpur whereby the order dated 26.11.2018 passed by the learned Civil Judge (Junior Division), Mukerian, District Hoshiarpur has been set aside.

Learned counsel for the petitioners, at the outset, states that possession has since been delivered to him and that he does not wish to press the present petition on merits. However, he submits that the petitioners have been struggling to reap the fruits of the decree in their favour since 2006 and the matter is being delayed on one pretext or the other. It is the further contention that this is the second round of objections that have been filed by 3rd parties in the present case. The earlier objections filed by Kewal Krishan stood dismissed right up to this Court and now objections have been filed by

one Kaushalaya Devi and Kewal Krishan, whose earlier objections were dismissed up to this Court. Learned counsel for the petitioners only prays that the proceedings now before the Courts below be made time bound.

In view of the fact that the execution petition was filed way back on 26.05.2006 and the same has been pending since then and in view of the directions laid down by the Hon'ble Supreme Court in the case of **Rahul S. Shah Vs. Jinendra Kumar Gandhi & Ors. [2021(2) RCR (Civil) 854]**, the Court below is requested to decide the matter expeditiously and in any case within a period of 09 months from the date of passing of this order.

Disposed off.

(ALKA SARIN)
JUDGE

April 28, 2022

sandeep

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No