

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

CR-2571-2022
Decided on : 12.07.2022

Dilbagh Singh

..... Petitioner

Versus

Bhagat Singh

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ankit Aggarwal, Advocate
 for the petitioner.

Manjari Nehru Kaul, J.(Oral)

Prayer in the instant petition filed under Article 227 of the Constitution of India is for issuance of directions to the trial Court to decide the application under Order 39 Rule 1 and 2 r/w Section 151 CPC in a time bound manner.

At the outset learned counsel for the petitioner restricts his prayer for directions to the Court concerned to decide his application under Order 39 Rule 1 and 2 CPC in a time bound manner as it has been pending since 09.02.2022. Learned counsel submits that after the petitioner-defendant put in an appearance on 15.02.2022, status quo was ordered by the trial Court on the said date and the case was adjourned to 04.03.2022 for filing written statement and reply to the application under Order 39 Rule 1 and 2 CPC. The petitioner without any delay filed his written statement as well as reply to the application under Order 39 Rule 1 and 2, on 04.03.2022 and the case was adjourned to 15.03.2022 for arguments on the said application. Learned counsel submits that thereafter the case was adjourned on multiple occasions on the request of the respondent-plaintiff. In support

of his submissions, learned counsel while drawing the attention of this Court to the zimni orders (Annexure P-6) passed by the Court below submits that it is evident that the respondent-plaintiff on one pretext or the other had been engaging in dilatory tactics after he got a status quo order in his favour.

Heard.

The present petition is disposed of with directions to the Court concerned to make earnest efforts to decide the application under Order 39 Rule 1 and 2 CPC pending before it expeditiously, preferably on the next date of hearing before it.

(MANJARI NEHRU KAUL)
JUDGE

12.07.2022

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No