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

**CM No.15194-CII of 2022 in/and
CR No.3667 of 2022
Date of Decision: 11.11.2022**

SANDEEP KUMARPetitioner
Vs
**PUNJAB MANDI BOARD THOROUGH ITS EXECUTIVE
ENGINEER, PATHANKOT AND ANR**Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Deepak Kundu, Advocate
for the applicant-petitioner.

RAJ MOHAN SINGH, J.(Oral)

CM-15194-CII-2022

This is an application under Section 151 CPC for taking up the main case which is already fixed for 13.04.2023.

In view of status report received from the Court of Addl. District Judge, Pathankot, the application is allowed. Date of hearing of the main case is preponed and the same is taken up today.

CR-3667-2022 (O&M)

Notice of motion was issued on 05.09.2022 and in the meanwhile status report was ordered to be summoned from the executing Court in respect of delay in disposal of pending execution petition. The report has been received.

Perusal of the report would show that the execution petition was filed on 06.04.2019 before the predecessor of the present incumbent. Record of the arbitration file was summoned

in due course by the predecessor Court of the present incumbent. The connected case was also fixed for 18.11.2021 and statement to this effect was made by learned counsel for the respondent on 09.11.2021. Owing to the aforesaid facts, the execution proceedings were adjourned for 18.11.2021. Thereafter the arguments were not addressed by learned counsel for the parties instead of availing many opportunities. After transfer of the predecessor, the execution was received by the present incumbent on 09.05.2022. Thereafter three opportunities have been availed by the parties including the proceedings dated 26.10.2022.

The officer has explained the position viz-a-viz. the heavy pendency before the Court.

In view of aforesaid status report, I deem it appropriate to dispose of the present petition, however with a request to the executing Court to make every possible endeavour to decide this case on some early actual date.

November 11, 2022

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No