

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CR No.3620-2022

Date of decision dated **23.11.2022**

Ranjit Singh Boparai

.....Petitioner

vs.

Sastish Kumar Saini deceased through LR

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present:- Mr. Yagsimant Attri, Advocate, for the petitioner.

Mr. Sharan Sethi, Advocate, for the respondents.

HARKESH MANUJA, J (Oral)

1. The present revision petition has been filed at the instance of petitioner/defendant in a suit for possession by way of specific performance, invoking the supervisory revisional jurisdiction vested with this Court under Article 227 of the Constitution of India with a prayer for issuance of directions to the learned trial Court for early disposal of Civil Suit No.11100 of 2013, which is pending for rebuttal evidence and for final arguments since 30.07.2018.

2. It has been contended on behalf of the petitioner/defendant that a civil suit for possession by way of specific performance is pending against him since 2013 and thus he has not been able to derive complete benefit of the property owned by him which has been made subject matter of the said civil suit. He has also attached the zimni orders passed by the learned trial Court to contend that for the past more than 4 years, the suit is pending merely for recording of rebuttal evidence and for final arguments.

3. In response to the notice of motion issued to the respondent, Mr. Sharan Sethi, Advocate has put in appearance on behalf of the respondent/plaintiff and filed his power of attorney today in the Court, which is taken on record. He submits that there are other civil litigations also, pending between the parties. However, he is not in a position to contradict the prayer made by the petitioner considering the zimni orders, which are part of record of the present revision petition.

4. Taking into consideration the fact that the suit is pending between the parties for the past more than 4 years only for the purpose of recording of rebuttal evidence and arguments, the learned trial Court is requested to decide the suit finally, as expeditiously as possible, preferably within a period of three months from the date of receipt of certified copy of this order.

5. It may be pointed out here that the direction for disposal of the suit in a time bound manner shall not have any adverse effect on the rights of respondent/plaintiff and rather, it would help his cause as well.

6. For the reasons discussed hereinabove, the present revision petition is disposed of.

23.11.2022
anil

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>