

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

106

**Civil Revision No.5054 of 2022
Date of Decision: 11th November, 2022**

Deepak Gagneja

...Revisionist-Petitioner

Versus

Asha Rani & Others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present :- Mr. Priyanshu Kamra, Advocate,
for the revisionist-petitioner.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of the present petition, the revisionist-petitioner has sought the indulgence of this Court for setting aside the order dated 30.09.2022 (Annexure P-8) passed by the Appellate Authority (Additional District Judge, Fazilka), whereby the proceedings pending before the Executing Court have been stayed and also for directing the said Authority to decide the application (Annexure P-3) moved by him on 04.11.2019 for seeking payment of the *mesne* profits qua the shop in dispute, during the pendency of the appeal.

However, at the very outset, learned counsel for the revisionist-petitioner submits that as regards the prayer made by the petitioner for setting aside the order Annexure P-8, he does not want to press for the same at this stage and rather, the petitioner would be satisfied

in case the concerned Appellate Authority is directed to first decide the afore-said application, i.e Annexure P-3, within some specific time frame and the instant petition may be disposed of accordingly.

Keeping in view the above-discussed submission as well as the fact that the afore-referred application is pending before the Appellate Authority for adjudication since November 2019, the petition in hand is hereby disposed of with the direction to the Appellate Authority to first decide the said application in accordance with law, in the given set of the facts and circumstances of the appeal pending before it, till 31.12.2022 positively.

11.11.2022
seema

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *No*