

S.No.116

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

CR No.5669 of 2022

Date of Decision:05.12.2022

Amandeep Kaur through her LRs

.....Petitioner

Vs.

Gurpreet Singh and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. T.S. Hundal, Advocate for the petitioner.

DEEPAK GUPTA, J.

By way of the judgment and decree dated 18.12.2019 passed by the trial Court, suit filed by the plaintiff- respondent No.1 – Gurpreet Singh, was decreed. Defendant No.1 – appellant was directed to hand over the possession of the property.

Learned counsel contends that he filed the appeal before the First Appellate Court on 23.01.2020, in which the respondent- plaintiff has not appeared till date. However, said plaintiff filed execution on 14.07.2020 in which warrants of possession have been issued. Prayer is made to direct the learned Additional District Judge to decide the appeal at the earliest and to stay the warrants of possession.

Till date, no application has been moved before the learned Additional District Judge to stay the execution of the warrant of possession.

Learned counsel submits that he will move an appropriate application within one month.

Till the date of filing of the application, to be filed within one month

from today before the concerned First Appellate Court, the execution of the warrant of possession shall remain stayed. However, learned First Appellate Court shall decide the application without being influenced by this order.

Revision is disposed of.

December 05, 2022

(DEEPAK GUPTA)

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JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No