

CR-395-2023

Date of Decision :20.01.2023

JASPAL SINGH

...Petitioner

Versus

DALJIT SINGH AND OTHERS

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Amit Bansal, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for issuance of directions to the learned Additional District Judge, Jalandhar to expedite the adjudication of CA No.946 of 2017 in case titled as Daljit Singh vs. Jaspal Singh and others in a time bound manner.

[2] Learned Counsel contends that the petitioner/plaintiff had filed a suit against the respondents/defendants seeking relief of possession by way of specific performance of the agreement to sell dated 28.03.2011 or in the alternative suit for recovery of Rs.4,33,79,375/- qua land measuring 182 kanals 13 marlas owned by Mohinder Singh (defendant No.1) along with two electric tubewells of 10 bhp each installed therein and that the civil suit was decreed but appeal against the said decision was filed by respondent-defendant No.1 before the learned Additional District and Sessions Judge, Jalandhar on 26.09.2017.

[3] Learned Counsel further contends that earlier Civil Revision No.2547 of 2019 was filed before this Court. However, the same was dismissed in default on 22.04.20219 and on application moved for

restoration, the application was allowed vide order dated 02.07.2019 and on statement of counsel for the petitioner, the revision petition was disposed of by directing the learned Additional District and Sessions Judge, Jalandhar to consider and decide CA No. 946 of 2017 titled as Daljit Singh vs. Jaspal Singh and others expeditiously in accordance with law.

[4] Learned counsel further contends that the said appeal is pending adjudication since five and a half years after its filing and three and a half years after order dated 02.07.2019 directing the learned Additional District and Sessions Judge, Jalandhar to consider and decide the same in accordance with law expeditiously.

[5] Having regard to the position as noted above as also that the period from the year 2020-2022 saw disruption in the functioning of the Courts due to prevalence of Corona Virus pandemic, it is deemed appropriate to dispose of this petition by requesting the learned Additional District and Sessions Judge, Jalandhar to expedite adjudication of CA No. 946 of 2017 and to decide the same as expeditiously as possible and in any case within six months from today.

[6] Disposed of as above.

(B.S. Walia)
Judge

20.01.2023
'Amit'

Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No