

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CR-787-2023 (O&M)

Date of Decision: 7.11.2023

Kirpal Singh and another

....Petitioners

VERSUS

Gurdial Singh and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ish Puneet singh, Advocate,
for the petitioners.

Mr. Ashwani Kumar Chopra, Sr. Advocate with
Mr. Brahmjot Singh Nahar, Advocate,
for respondents No.1, 2 and 3.

KARAMJIT SINGH, J.

The present revision petition has been filed by the petitioners/third party objectors against order dated 23.11.2022 (Annexure P-1) passed by the Court of learned District Judge, Gurdaspur.

2. Brief facts of the case are that the suit for specific performance of agreement to sell dated 30.9.1986 filed by respondents No.1 to 3 was decreed by the first Appellate Court and the said judgment was upheld up to Hon'ble Supreme Court. Thereafter, the decree holders filed execution application wherein the petitioners filed third party objections but the same were dismissed by the executing Court. The appeal filed against the said order is pending in the Court of Additional District Judge, Gurdaspur and along with the appeal, the petitioners also filed an application seeking stay of the order under appeal but the said application was dismissed by the first appellate Court vide impugned order dated 23.11.2022. Being aggrieved,

the present revision petition has been filed by the petitioners.

3. Counsel for the petitioners submits that he will be satisfied if necessary direction is given to the first appellate Court to decide his appeal titled Kirpal Singh and another v. Gurdial Singh and others in a time bound manner. Even counsel appearing on behalf of the contesting respondents is having no objection if any such direction is given to the Court concerned.

4. I have heard the counsel for the parties.

5. In view of above, without commenting on the merits of the case, the present revision petition is hereby disposed of with direction to the Court of Additional District Judge, Gurdaspur to finally dispose of the civil miscellaneous appeal filed by the petitioners within 3 months of the next date fixed in the said appeal, without granting unnecessary adjournments and in the meantime, the parties are directed to maintain *status quo* with regard to the suit property.

(KARAMJIT SINGH)
JUDGE

November 7, 2023
Paritosh Kumar

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