

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

132

CRM-M-11353-2023

Date of Decision : 03.03.2023

Akashdeep Singh

..... Petitioner

Versus

Mandeep Kaur and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr.Aayush Gupta, Advocate  
for the petitioner.

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**JAGMOHAN BANSAL, J. (Oral)**

The petitioner through instant petition under Section 482 Cr.P.C. is seeking quashing of order dated 28.10.2022 (Annexure P-13) whereby JMIC, Ludhiana has rejected the objections of the petitioner in execution application.

Learned counsel for the petitioner *inter alia* contends that vide order dated 13.08.2021, the trial Court has awarded interim maintenance to wife and daughter of the petitioner. The petitioner has preferred an appeal before the Sessions Court assailing the order dated 13.08.2021 passed by the trial Court. The appeal has been preferred along with stay application, however, neither appeal nor stay application has been adjudicated. During the pendency of the appeal, the respondents have filed execution application. The petitioner filed objections in the execution application, however, the trial Court vide impugned order dated 28.10.2022 has turned down objections of the petitioner. The petitioner, on the one hand, is facing execution proceedings and on the other hand, the Appellate Court is not adjudicating his appeal which is pending since 2021. Learned counsel

further submits that his grievance would stand redressed, if the Appellate Court is directed to decide the appeal of the petitioner.

Without commenting on merits of the case, the present petition is disposed of with a request to the Appellate Court i.e. Sessions Court at Ludhiana to expeditiously decide the appeal of the petitioner which has been filed against order dated 13.08.2021 passed by JMIC, Ludhiana. The Appellate Court is further requested to adjudicate the stay application within one month from the date of receipt of certified copy of this order, if it is not possible to decide main appeal within one month.

( JAGMOHAN BANSAL )  
JUDGE

03.03.2023  
*anju*

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|---------------------------|---------------|
| Whether speaking/reasoned | Yes/No        |
| <i>Whether Reportable</i> | <i>Yes/No</i> |