

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

142

2023:PHHC:125786

CR-971-2022

Date of decision: 25.09.2023

**NISHI BHARGAVA**

**..Petitioner**

**Versus**

**GYANESHWAR BHARGAVA AND ORS**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Ashok Arora, Advocate  
for the petitioner.

Mr. Suman Jain, Advocate  
for respondent No.1

**ANIL KSHETARPAL, J(Oral)**

1. The petitioner's application for transposing her as appellant in a pending appeal before the First Appellate Court has been dismissed. The appellants as well as the petitioner were defendants in a suit for grant of decree of declaration. Some of the defendants filed the appeal, whereas, the petitioner did not join the remaining defendants. During the pendency of the first appeal, an application for permission to transpose the petitioner as appellant has been dismissed.

2. After arguing at some length, the learned counsel representing the parties have come to a consensus.

3. The learned counsel representing the respondent submits that he has no objection if the application is allowed and the petitioner is transposed as the appellant. However, he submits that the appeal is pending for the last three years and therefore, the Appellate Court should be requested to decide the same expeditiously. The learned counsel representing the petitioner has no objection.

CR-971-2022

4. In view of the aforesaid facts, the impugned order dated 25.02.2022 is set aside.
5. The petitioner is permitted to be transposed as appellant. The amended memo of parties be filed.
6. The First Appellate Court is directed to make sincere endeavour for expeditious disposal of the appeal preferably within a period of six months, from today.
7. All the pending miscellaneous applications, if any, are also disposed of.

September 25<sup>th</sup>, 2023  
Ay

(ANIL KSHETARPAL)  
JUDGE

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