

[123] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-1988-2023

Date of Decision :12.04.2023

Ashok Jain and another

...Petitioners

versus

Narbhushan Jain and others

....Respondents

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

Present : Mr. V.K. Jindal, Senior Advocate assisted by
Mr. Sandeep Jain, Advocate and
Mr. Sachin Jain, Advocate
for the petitioners.

B.S. Walia, J. (Oral)

[1] Prayer in the instant petition is for issuance of directions to the learned Civil Judge (Junior Division), Ludhiana to decide the application (Annexure P-6) dated 08.11.2022 filed by the petitioners to decide Civil Suit No.4196 of 2022 and for permitting the newly elected body to operate the bank accounts of the Society in a time bound manner.

[2] Learned counsel states that order dated 14.06.2022 as well as 14.12.2022 were passed by the learned Addl. District Judge, Ludhiana, pursuant to which Annual General Meeting of the Mahavir Jain Society was called under Court Observer appointed vide order dated 28.07.2022, who conducted the Annual General Meeting on 04.08.2022 pursuant to which report was submitted by him, reflecting therein of no confidence motion having been passed against the Mahavir Jain Society i.e. respondent No.4 (herein) and that in the circumstances, Civil Suit

No.4196 of 2022 filed by Mahavir Jain Society and others had become infructuous, therefore, application (Annexure P-6) dated 08.11.2022 had been filed by the petitioners before the learned Civil Judge (Junior Division), Ludhiana (wrongly mentioned as Gurugram) for deciding Civil Suit No.4196 of 2022 but no decision had been taken on the same till date.

[3] Learned counsel states that in the circumstances, his sole prayer is for issuance of directions to learned Civil Judge (Junior Division), Ludhiana to decide application Annexure P/6.

[4] In view of the position noted above, it would be in the fitness of things that application (Annexure P-6) dated 08.11.2022 stated to have been filed by the petitioners before the learned Civil Judge (Junior Division), Ludhiana, be considered and decided by the learned Civil Judge (Junior Division), Ludhiana, in accordance with law, as expeditiously as possible.

(B.S. Walia)
Judge

12.04.2023

'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>