

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CR No.2495 of 2023 (O&M)

Date of decision: 26.04.2023

Ganesh Nath

....Petitioner

V/s

Jagir Nath and another

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Abhinav Sood, Advocate for
Mr. Vikram Singh, Advocate for the petitioner.

VIKAS SURI, J. (Oral)

Learned counsel for the petitioner submits that the instant revision petition has been preferred under Article 227 of the Constitution of India against the order dated 31.03.2013 (Annexure P-5), whereby the application for interim injunction has been disposed of by not granting *ad interim* injunction, whereas, the main appeal against the order passed in application under Order 39 Rule 1 and 2 CPC is posted for arguments on 20.05.2023.

Learned counsel, after seeking instructions from the petitioner, states that the petitioner would be satisfied at this stage, in case a direction is issued to the first Appellate Court to decide the main appeal itself on the adjourned date.

I have heard learned counsel for the petitioner and with his able assistance perused the record.

Without expressing any opinion on merits of the case, keeping in view that the contesting parties are served and represented by counsel

before the first Appellate Court, the present revision petition is disposed of with a direction to the first Appellate Court to finally dispose of the appeal on the adjourned date or within a week thereafter, in accordance with law. It is, however, made clear that in case, the petitioner does not address arguments on the adjourned date, the Court below would be at liberty to exercise its judicial discretion to grant further adjournment, which shall not be later than 15 days thereafter.

The present revision petition is disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

April 26, 2023
Ajay

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