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

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Decided on : 21.09.2023

Kailash Nath

. . . Petitioner(s)

Versus

Amarjit Singh and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Dinesh Nagar, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Present revision petition has been filed by the petitioner (plaintiff) with a limited prayer to seek direction to the learned Appellate Court to decide the application dated 22.04.2019, which is already there along with the record of the Trial Court, whereby, petitioner (plaintiff) prayed for comparing the signatures of defendant No.1 – Amarjit Singh.

2. Learned counsel for the petitioner submits that said application was duly replied by the concerned defendant also, but never any final decision was given by the Trial Court. However, vide judgment & decree dated 21.02.2023, suit filed by the petitioner (plaintiff) was dismissed.

3. Further submits that in the first appeal filed by the petitioner (plaintiff) also, plaintiff has requested to the First Appellate Court to decide the said application first, however, same is kept pending without any adjudication.

4. Heard.

5. Since, there is a limited prayer made by learned counsel for the petitioner (plaintiff), for seeking direction to decide the application dated

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22.04.2019, I do not deem it necessary to issue notice to the other side, because, that would further delay the proceedings.

6. Therefore, keeping in view the facts & circumstances of the case, learned First Appellate Court, who is dealing with the appeal against the judgment & decree dated 21.02.2023, passed by the Trial Court in CIS No.CS-645-2017 (CNR No. : PBSB02-000990-2017), titled as, “Kailash Nath Vs. Amarjit Singh and others”, is directed to decide the said application well before finally deciding the appeal pending before it, in accordance with law.

7. With the aforementioned observations, present revision petition stands **disposed of**.

(SANJAY VASHISTH)
JUDGE

September 21, 2023

J.Ram

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