

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CR-3880-2023 (O&M)
Date of Order: 13.07.2023

PARVEEN KUMAR

.Petitioner

Versus

PREM CHAND (SINCE DECEASED) THROUGH HIS LR AND
OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sherry K. Singla, Advocate
for the petitioner.

ANIL KSHETARPAL, J

1. A suit filed for the grant of a decree of declaration claiming that the sale deeds executed on 10.03.1993 and 28.12.1994 are illegal, null and void is pending before the trial court. The plaintiff's application for permission to examine Sh. Daulat Ram, Ex. Municipal Commissioner, Sh. Amit Singla, Sh. Prince Bansal and the concerned clerk from the office of Sub-Registrar has been allowed by the trial Court in the exercise of discretionary jurisdiction.

2. Defendant no.1 assails its correctness by filing the present revision petition under Article 227 of the Constitution of India.

3. The learned counsel representing the petitioner submits that previously the plaintiffs filed an application for the permission to examine Sh. Daulat Ram, concerned official from the office of Sub-Registrar and Finger Print and Document Expert, however, the aforesaid application was withdrawn. He submits that now a fresh application has been filed to

examine the aforesaid witnesses along with some other witnesses.

4. The previous application filed by the plaintiff does not stop him from filing a fresh application with certain additional witnesses.

5. The trial court has, in the facts of the case, exercised discretion. While deciding a revision petition under Article 227 of the Constitution of India, the court exercise only superintending jurisdiction. Unless it is established that the discretion exercised by the trial court suffers from material irregularity or perversity, the revisional court is not expected to interfere. The learned counsel representing the petitioner was requested to explain the prejudice suffered by the petitioner. He submits that the trial of the suit is getting delayed.

6. This court has considered the submission.

7. No doubt, the parties are required to lead their evidence in an expeditious manner, however, the decision in the civil courts take time.

8. Keeping in view the aforesaid facts, no ground to interfere is made out.

9. However, the civil court is requested to make a sincere endeavor for expeditious disposal of the suit preferably within a period of one year.

10. Disposed of accordingly.

11. All the pending miscellaneous applications, if any, are also disposed of.

July 13, 2023

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO