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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-4051-2023(O&M)

Date of Decision : 24.07.2023

Sukhwinder Singh

.....Petitioner

Versus

Parminder Lal @ Pammi through LRs

.....Respondents

CORAM:- HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr.N.S. Dadwal, Advocate
for the petitioner.

H.S.MADAAN, J. (ORAL)

1. It is stated by learned counsel for the petitioner that appeal filed by the revision petitioner Sukhwinder Singh against the judgment and decree passed by the trial Court is pending before Sh.Amarinder Pal Singh, Additional District Judge, Ludhiana, where an application for staying the operation of judgment and decree passed by the trial Court is pending and it has not been disposed of.

2. The revision petitioner has approached this Court by way of filing the present revision petition challenging the order passed by the Executing Court refusing to stay the execution proceedings. The proper remedy available for the revision petitioner is to press the application for stay stated to be pending before Additional District Judge, Ludhiana and not by way of filing the revision petition.

3. Accordingly, the revision petition is disposed of

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directing the Court of Additional District Judge, Ludhiana to dispose of the application for stay of operation of the judgment and decree passed by the trial Court within 15 days of receipt of copy of order there. For the purpose of disposing of the application, learned Additional District Judge, Ludhiana may prepone the date of hearing by issuing notice to the opposite counsel.

24.7.2023
Brij

(H.S. MADAAN)
JUDGE

Whether reasoned/speaking :
Whether reportable :

Yes/No
Yes/No