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

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Date of decision : 24.08.2023

The Registrar, Cooperative Societies, Punjab and another

..... Petitioners

Versus

Raghu Raj through Legal Heirs

..... Respondent

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. S.K. Biriwal, Advocate
for Ms. Paramjit Kaur Deol, Advocate
for the petitioners.

AMARJOT BHATTI J. (ORAL)

The Registrar, Cooperative Societies, Punjab and the District Manager, Gurdaspur Central Cooperative Bank Ltd. filed civil revision for directing the learned Appellate Court to finally dispose of the application under Order 41 Rule 5 CPC for staying the operation of implementation of judgment and decree dated 21.03.2018 passed by the learned trial Court alongwith appeal dated 23.05.2018 (Annexure P-2).

The learned counsel for the petitioners pointed out that the application under Order 41 Rule 5 CPC is pending since long. He has placed on record the *zimni* orders passed in Civil Appeal No. 91 of 2018 from time to time which shows that after giving notice to the respondent, reply to stay application is awaited and it is being adjourned in routine from time to time. On the other hand, the execution proceedings are going on. The learned counsel for the petitioners has placed on record the copy of order dated 14.07.2023, according to which the warrants of sale

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against the attached property of JDs has been issued. The date for report before the Executing Court is fixed for 08.09.2023.

Considering the factual position, the learned District Judge, Pathankot, where the appeal is pending, is directed to dispose of the application under Order 41 Rule 5 CPC expeditiously, as per law.

The civil revision is accordingly, disposed of.

(AMARJOT BHATTI)
JUDGE

24.08.2023
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Whether speaking/reasoned:	Yes
Whether Reportable:	Yes/No