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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on : 19.10.2023

Vipan Gupta

. . . Petitioner(s)

Versus

Rajesh Bhalla and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Atul Lakhanpal, Sr. Advocate with
Mr. Deep Kanwal Singh, Advocate and
Mr. Rajwant Singh Chahal, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Order dated 22.09.2023, says as under:-

*“Present: Mr. Atul Lakhanpal, Sr. Advocate with
Mr. Rajwant Singh Chahal, Advocate and
Ms. Neha Lakhanpal, Advocate, for the petitioner(s).*

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1. The limited prayer made in the present writ petition is for issuance of time bound directions to the Trial Court for disposing of Civil Suit No.2144 of 2021 (P-1), which has been filed by the petitioner (plaintiff) in regard to the partition of the residential house.

2. Learned Senior counsel informs the Court that the abovesaid suit was instituted 25.11.2021, and pleadings were also completed immediately thereafter. Still, process of recording of evidence of the plaintiff has not been started by the Trial Court.

Further submits that delay in the proceedings of the suit may cause prejudice to the right of the plaintiff, because, he has invested huge amount in buying the property in question.

3. Let a status report be called from the Trial Court qua the suit proceedings, keeping in view the submissions made by learned Senior counsel in Court today.

In the said status report, the Trial Judge would also apprise the Court about the possible time to be consumed in the final decision of the present suit.

4. List on 19.10.2023.

Copy of this order be also forwarded to the concerned Trial Court.”

2. In response to the order dated 22.09.2023, report dated

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09.10.2023, has been forwarded by the Trial Court through District & Sessions Judge, Chandigarh. The concluding part of the said report, says as under:-

“ It is pertinent to mention that two other connected civil suits between the same parties titled as “Vipan Gupta Vs. Rajesh Bhalla” bearing CS No.2173 of 2020 and CS No.2379 of 2020, have been transferred to the court of undersigned for 18.09.2023 which are pending at the stage of evidence of plaintiff and consideration on stay application, respectively.

Since, the institution of present case, the undersigned is giving shortest possible adjournments for proceedings. Now the case is pending for arguments on stay application. Thereafter, issues are yet to be framed and evidence is yet to be adduced by both the parties. The proceedings in this matter will take some time however, it is assured that strenuous efforts will be made for concluding the matter. It is, therefore, requested that at least 12 to 15 months time may kindly be given for final decision of the present suit.

Submitted please.”

3. Taking note of the circumstances, explained in the above stated report, present revision petition is **disposed of**, by making an observation that within the stipulated period, as desired by the Trial Court, the suit proceedings would be finalized.

**(SANJAY VASHISTH)
JUDGE**

October 19, 2023

J.Ram

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