

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

127

CR-5379-2023

Date of Decision : 15.09.2023

Soma and others

.....Petitioners

Versus

Gurnam Gir and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Yashpal Thakur, Advocate for the petitioners.

NAMIT KUMAR, J. (ORAL)

1. The instant revision petition has been filed by the petitioners under Article 227 of the Constitution of India for issuance of directions to the Trial Court to expedite the disposal of application filed by the petitioners/plaintiffs under Order 39 Rules 1 & 2 read with Section 151 of CPC which is pending since 21.10.2021.

2. Learned counsel for the petitioners submits that notice in the main suit along with application filed by the petitioners/plaintiffs under Order 39 Rules 1 & 2 read with Section 151 of CPC was issued on 25.10.2021 and the written statement to the main suit and reply to the said application was also filed by the defendants on 07.02.2022 and on 18.04.2022, respectively. Thereafter, statement was given by the counsel for the petitioners/plaintiffs that he does not want to file any replication, however, the said application has still not been decided. He submits that appropriate directions may be issued to the Court of learned Civil Judge (Junior Division), Rajpura to decide the said stay application.

3. I have heard learned counsel for the petitioners and perused the zimni orders passed by the Trial Court.
4. Since the stay application filed by the petitioners is pending since 25.10.2021, it would be appropriate to direct the Court of learned Civil Judge (Junior Division), Rajpura to decide the said application within a period of three months from the date of receipt of copy of this order.
5. The present petition is disposed of in the abovesaid terms.
7. Keeping in view the relief claimed in the present petition, this Court is not inclined to issue notice to the respondents to avoid unnecessary expenditure which they will incur for their appearance and to engage a counsel.
8. Needless to say that the respondents would be at liberty for recalling of this order by moving an appropriate application, if so aggrieved.
9. A copy of this order be sent to the Trial Court for information and necessary compliance.

15.09.2023

Kothiyal

(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No