

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

Sr. No.136**CR-5548-2023****Date of decision: 20.09.2023****CHAND MOHAMMAD****.....Petitioner****versus****GURNAM SINGH****.....Respondent****CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. Deepak Arora, Advocate
for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. The instant petition has been preferred by the petitioner/plaintiff seeking appropriate directions to the Court of learned Civil Judge (Junior Division), Ludhiana to decide the application filed by the petitioner/plaintiff under Order 39 Rule 1 and 2 CPC, which is pending since 30.11.2022.
2. Learned counsel for the petitioner submits that the trial proceedings are now at the stage of evidence of the plaintiff, however, the said application is still pending consideration before the said Court.
3. I have heard learned counsel for the petitioner and perused the record.
4. Keeping in view the facts and circumstances of the present case, it would be appropriate to issue directions to the Court of learned Civil Judge (Junior Division), Ludhiana to decide the application filed by the petitioner under Order 39 Rule 1 and 2 CPC within a period of two months from the date of receipt of this order.
5. Keeping in view the relief claimed in the present petition, this Court is not inclined to issue notice to the respondent to avoid unnecessary expenditure which he will incur for his appearance and to engage a counsel.

6. Needless to say that the respondent would be at liberty for recalling of this order by moving an appropriate application, if so aggrieved.
7. Disposed of with above-said directions.

(NAMIT KUMAR)
JUDGE

20.09.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No