

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

(1)**CR-6510-2023**

Date of Decision: 03.11.2023

Paramjit Singh Sandhu (since deceased) through LR Amardeep Singh Sandhu
...Petitioner

Versus

Gurmit Kaur Mann and others ...Respondents

and

(2)**CR-6536-2023**

Date of Decision: 03.11.2023

Paramjit Singh Sandhu (since deceased) through LRs

...Petitioner

Versus

Gurmit Kaur Mann and others ...Respondents

and

(3)**CR-6560-2023**

Date of Decision: 03.11.2023

Paramjit Singh Sandhu (since deceased) through LRs

...Petitioner

Versus

Gurmit Kaur Mann and others ...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Kanwal Goyal, Advocate
for the petitioner(s).

GURBIR SINGH, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 10.10.2023 (Annexure P-1) passed by the Ld. ADJ, Kapurthala wherein application dated 19.09.2023 (Annexure P-2) filed by the petitioner for staying the proceedings in appeal during pendency of application dated 04.05.2022 (Annexure P-6) filed under Order 9 Rule 13 of CPC has been dismissed.

2. After arguing for some time, learned counsel for the petitioner(s) submits that he will be satisfied if application i.e. CM/183/2022, CNR

No.PBKPA00001772022 for setting aside the ex-parte judgment and decree, which is now pending adjudication for 18.11.2023 is expeditiously decided first prior to the Civil Appeal Nos.26 of 2022; 28 of 2022 and 29 of 2022, which have arisen out of the common judgment. Since the application for setting aside the ex-parte judgment and decree is moved by the LRs and in the judgment it is noticed that defendant No.9 had already died.

In such circumstances in the interest of justice, the learned Appellate Court is directed to keep the above mentioned appeals pending till the disposal of the application filed under Order 9 Rule 13 CPC which shall be disposed of maximum within six months without granting unnecessary adjournments.

Petition(s) stands disposed of.

In case, respondents are not satisfied with this order then they can challenge it by filing application within 30 days.

03.11.2023*Parveen kumar***(GURBIR SINGH)
JUDGE**

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No