

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

CR-6547-2023
Date of Decision: -03.11.2023

SUKHWANT SINGH SINCE DECEASED THROUGH HIS LRS

... Petitioner(s)

Versus

SUKHCHARAN KAUR AND OTHERS

... Respondent(s)

-. -

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-. -

Present:- Mr. Baltej Singh Sidhu, Senior Advocate with
Mr. Robin Singh Bhullar, Advocate and
Mr. Jashandeep Singh, Advocate
for the petitioner(s).

-. -

KARAMJIT SINGH, J. (Oral)

1. The counsel for the petitioner submits that first appeal filed by the petitioner against the judgment and decree dated 13th November, 2019 (Annexure P-4) is listed for final hearing on 6th November, 2023 before 1st Appellate Court, Sri Muktsar Sahib. That simultaneously execution proceedings are going ahead as till date the operation of the judgment passed by the trial Court has not been stayed in the first appeal. That the executing Court has already issued warrants of possession of the suit property for 6th of November, 2023. That in case, if respondents No.1 and 2 would be succeeded in getting the

possession of the suit property, the first appeal filed by the petitioner will be rendered infructuous. The counsel for the petitioner further submitted that the petitioner will be satisfied if till the next date of hearing fixed in the first appeal for final arguments/arguments on stay application, *status quo* with regard to possession over the suit property is maintained.

2. In view of the above without commenting on the merits of the case, the present petition is disposed of with direction to the 1st Appellate Court to decide the first appeal expeditiously and if not possible at least to decide the stay application filed by the petitioner in the said appeal expeditiously preferably within a period of 1 month of the next date fixed in the said appeal and till then *status quo* is to be maintained over the suit property.

03.11.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No