

Bachhan Singh and others

...Petitioners

Versus

Jagdish Sharma and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH**Present:** Mr. Jai Vir Yadav, Senior Advocate with
Mr. Nitish Sharma, Advocate
for the petitioners.

GURBIR SINGH, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 07.10.2023 (Annexure P-6) passed by the Ld. Additional District Judge, Chandigarh whereby appeal filed by respondent No.1/plaintiff against the order dated 04.10.2023 (Annexure P-5) passed by the Ld. Civil Judge (Jr. Division), Chandigarh vide which the application under Order 39 Rule 1 and 2 read with Section 151 of CPC filed by the plaintiff/respondent No.1, has been dismissed.
2. Learned Senior counsel for the petitioners *inter alia* submits that respondent No.1/plaintiff filed the suit for declaration that two resolutions passed by the proforma respondent No.4 are illegal, null and void. The learned trial Court did not grant the stay and appeal was filed. The learned Appellate Court passed the order that election process would go on but result thereof be not declared till the disposal of the appeal. He further submits that vide order dated 07.10.2023 (Annexure P-6) the respondents had appeared in person and now election process is complete but appeal is not yet decided. If appeal is not decided in a time bound manner then purpose of the election would be

frustrated. He further submits that petitioner would be satisfied if the learned Appellate Court may be directed to dispose of the appeal in a time bound manner.

3. I have heard the learned Senior counsel for the petitioner and have perused the paper-book.

4. If notice is given to the other side it may further delay the disposal of case and may further put financial burden upon respondent.

5. Without expressing any opinion on the merits of the matter, the present petition is disposed of with a direction to the concerned trial Court to dispose of the appeal within a period of one month from the date of receipt of the certified copy of this order.

6. The present petition stands disposed of.

16.12.2023
Parveen kumar

(GURBIR SINGH)
JUDGE

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