

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

Sr. No.288**CR-6073-2022****Date of decision: 18.07.2023****GULZARI RAM (SINCE DECEASED) THROUGH HIS LRS AND ANR****.....Petitioners****versus****MALKIAT RAI (SINCE DECEASED) THROUGH HIS LRS AND ORS****.....Respondents****CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. Kartik Gupta, Advocate
for the revisionists-petitioners.

Mr. Krishan Kanha, Advocate for
Mr. Deepak Verma, Advocate
for the respondents.

NAMIT KUMAR, J. (ORAL)

The present petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 07.04.2022 (Annexure P-4), passed by the learned Additional District Judge, Hoshiarpur, whereby the application of the petitioner under Order 41 Rule 5 read with Section 151 CPC (Annexure P-3), has been dismissed.

Learned counsel for the parties are *ad idem* that the appeal pending before the Lower Appellate Court is at the stage of arguments and they are ready to address arguments.

Learned counsel for the respondents also suffers a statement that till the disposal of the appeal, they will not pursue their execution proceedings, which is pending before the Executing Court.

Accordingly, the present petition is disposed of with a direction to the Lower Appellate Court to make an endeavour to dispose of the appeal within a period of 4 months.

Disposed of with the above-said directions.

(NAMIT KUMAR)
JUDGE

18.07.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No