

CR-7076-2023

Date of Decision: 04.12.2023

Pawan Gupta

...Petitioner

Versus

Bhagwat Dayal and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH**Present:** Mr. Manish Mehta, Advocate
for the petitioner.

GURBIR SINGH, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India seeking quashing of the impugned order dated 25.10.2023 (Annexure P-2) passed by the Ld. Civil Judge (Jr. Division), Rewari whereby an application dated 23.10.2023 (Annexure P-1) for early hearing filed by the petitioner/plaintiff, has been dismissed.

2. Learned counsel for the petitioner submits that the suit was filed way back in the year 2019 wherein the defendants appeared and then moved an application under Order 7 Rule 11 of CPC for rejection of the plaint. Thereafter, petitioner/plaintiff came to know that defendants had sold the property to one Smt. Shashi Jain, petitioner/plaintiff moved an application under Order 1 Rule 10 CPC and Order 6 Rule 17 CPC for impleading party and for amendment of the plaint and the said applications are still pending but application moved by the petitioner/plaintiff for early hearing has been dismissed. He further submits that the date fixed in the trial Court is 18.12.2023 and he would be satisfied if his applications are decided in a time bound manner as he is suffering because the proposed party, who is to be impleaded, is raising construction over the suit property.

3. In view of the submissions raised by the learned counsel for the petitioner, which seems to be genuine as the purpose of the Court is to provide justice to the parties and not to prolong the matter and takes certain cases at priority basis, the Court below even failed to take up the application for early hearing on the ground of heavy cause list. But this is not a ground when the suit is pending for the last four years. Let, all the applications pending in this case be disposed of within a period of 3 weeks positively, from the next date fixed in the instant case.
4. Accordingly, the present revision petition stands disposed of.

04.12.2023
Parveen kumar

(GURBIR SINGH)
JUDGE

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