

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR No.7480 of 2023

Date of Decision: 13.12.2023

Rajiv Kumar Rai

...Petitioner

Versus

Satpal and another

...Respondents

CORAM: ***HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

Present:- Mr. Harpreet S. Rakhra, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant revision petition, the petitioner-plaintiff (here-in-after to be referred as 'the plaintiff') has invoked the jurisdiction of this Court under Article 227 of the Constitution of India for seeking the issuance of direction to learned Civil Judge (Senior Division) (should have been mentioned as 'Junior Division' in view of Annexures P-2 to P-5), Dera Bassi (for short 'the trial Court), to decide the application (Annexure P-1) as moved by him under Section 149 read with Section 151 CPC in ***Civil Suit No.728 of 2020*** titled as '***Rajiv Rai vs. Satpal and others***' with a prayer to permit him to construct the first and second floor portions of his house and also to use the common stair-case, while averring that the same is pending since 17.09.2021.

2. I have heard learned counsel for the petitioner-plaintiff in the present revision petition, at the preliminary stage and have also perused the file carefully.

3. Keeping in view the facts that the above-referred application (Annexure P-1) is pending adjudication for the last more than two (02) years

and that as per Annexure P-6, the copy of the letter dated 01.08.2019 shown to have been issued to the plaintiff qua the sanction of his building-plan, the period of the validity thereof, was 03 (three) years and the afore-said period has already lapsed and without commenting or expressing any opinion on the merits of the above-said application and the Civil Suit as well, the revision petition in hand is, hereby, disposed of with a direction to the concerned trial Court to decide application Annexure P-1, in accordance with law, preferably within a period of 02 (two) months from the date of receipt of the certified copy of this order.

13.12.2023
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *No*