

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

(132)

CR-7557 of 2023**Date of Decision: 14.12.2023**

Shivank Thakur

.....Petitioner

Versus

Asha Jaswal

.....Respondent

CORAM: HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vikas Kumar Gupta, Advocate, for the petitioner.

AMARJOT BHATTI, J.(ORAL)

1. The petitioner has filed petition under Article 227 of the Constitution of India seeking direction to the learned trial Court, Mohali for deciding the stay application filed under Order 39 Rule 1 and 2 of CPC in Civil Suit titled as ***Shivank Thakur Vs. Asha Jaswal***. The copy of plaint is Annexure P-1 and the application filed under Order 39 Rule 1 and 2 CPC seeking temporary injunction is Annexure P-2.

2. Learned counsel for the petitioner has referred to the interlocutory orders passed in the aforesaid civil suit, according to which Sh. Yashpal Singh, Advocate, filed his memo of appearance on behalf of the defendant as per *zimni* order dated 29.09.2023. He has also filed his power of attorney on 26.10.2023. Thereafter, no body appeared on behalf of the defendant and the learned Civil Judge (Jr. Divn.) Mohali, has adjourned the case from time to time for awaiting the presence of defendant. It is rightly pointed out that no body is appearing on behalf of respondent/defendant even then the case is being adjourned in routine manner and the application filed under Order 39 Rule 1 and 2 CPC is still pending. It is further informed that

next date of hearing before trial Court is 22.01.2024.

3. Considering the aforesaid factual position, the learned Civil Judge (Jr. Divn.) is directed to decide the stay application expeditiously within 4 weeks from the next date of hearing. The present civil revision petition is disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

14.12.2023
anil

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