

126.

2023:PHHC:162422

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

CR-7658-2023 (O&M)

Date of decision: 18.12.2023

Rajesh Kumar

.... Petitioner

Versus

Mohinder Kumar Malhotra and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. R.S. Manhas, Advocate, for the petitioner.

GURBIR SINGH, J. (Oral)

1. Prayer in this revision petition filed under Article 227 of the Constitution of India is for issuance of directions to the learned appellate Court to decide the appeal filed by respondent No.1-plaintiff expeditiously.

2. Briefly stated, respondent No.1-plaintiff filed a suit for declaration to the effect that he is the owner of House No.3594, Sector 46-C, Chandigarh, and also sought for permanent/mandatory injunction against the defendants. However, vide judgment and decree dated 15.12.2018, said suit was dismissed. Plaintiff preferred appeal against that judgement and decree in 2019, but no decision has been taken thereon till date.

3. Learned counsel for the petitioner-defendant No.3 submits that the appeal filed by respondent No.1-plaintiff is being adjourned on one pretext or the other. Despite availing number of adjournments by the plaintiff, case has not been argued till date. Petitioner is a senior citizen being

76 years of age and at this stage, he would be satisfied if said appeal is decided in a time bound manner.

4. I have heard learned counsel for the petitioner.

5. Without going into the merits of the case and keeping in view the limited prayer made by learned counsel for the petitioner-defendant No.3, the present revision petition is disposed of with a direction to the learned appellate Court to decide the appeal No.162 of 2019, dated 25.04.2019 (Annexure P-2) filed by respondent No.1-plaintiff expeditiously preferably within a period of three months from the date of receipt of a certified copy of this order, without giving any unnecessary adjournment.

(GURBIR SINGH)
JUDGE

December 18, 2023

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No