

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

FAO No.1739 of 2024 (O&M)

Date of Decision: 15.04.2024

Jaspri Singh

...Appellant

Versus

Lachhman Singh & others

...Respondents

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

Present:- Mr. Krishan Singh Dadwal, Advocate,
for the appellant.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of filing this appeal, the appellant-plaintiff No.2 has assailed the order, passed by learned Additional District Judge, Hoshiarpur (for short 'the Lower Appellate Court') in *Civil Appeal No.231 of 2022* titled as '*Lachman Singh & ors vs. Sukhdev Singh & ors*' for deciding the application moved by the respondents-defendants (the appellants in the Civil Appeal) under Order 41 Rule 5 CPC, whereby the operation of the judgment and decree, handed down by the trial Court, has been ordered to be stayed till the disposal of the afore-referred Civil Appeal.

2. However, at the time of assisting the Court at the preliminary stage in the present appeal, learned counsel for the appellant has restricted his prayer to the issuance of a direction to the Lower Appellate Court to decide the above-mentioned Civil Appeal at the earliest possible, while submitting that the same is pending since the year 2022.

3. Keeping in view the afore-discussed limited prayer as made by learned counsel for the appellant and also the fact that the above-said Civil Appeal is pending adjudication for the last almost two years and without commenting or expressing any opinion on the merits of the same and also of the impugned order, the appeal in hand is, hereby, disposed of with the direction to the Lower Appellate Court to decide the Civil Appeal under reference, in accordance with law, as expeditiously as possible.

15.04.2024
seema

(MEENAKSHI I. MEHTA)
JUDGE

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