



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

110

CR-234-2022 (O&M)
Date of Decision: 02.09.2024

Aman Kaur alias Amandeep Kaur

..... Petitioner

Versus

Lachhman Ram

..... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Kulwinder Singh, Advocate
for the petitioner.

Mr. Yogesh Kumar Aneja, Advocate and
Mr. S.K. Aneja, Advocate
for the respondent.

VIKAS BAHL, J (ORAL)

This is a Civil Revision Petition filed under Article 227 of the Constitution of India for issuance of any appropriate order or direction for quashing the order dated 23.12.2021 (Annexure P-1) passed by learned Civil Judge (Sr. Divn.), Fazilka, whereby, Civil Judge (Sr. Divn.), Fazilka had dismissed the application filed by the petitioner/judgment-debtor for grant of further 30 days period to pay the decretal amount.

On 28.01.2022, a Coordinate Bench of this Court had passed the following order:-

“Notice of motion for 30.05.2022.

Meanwhile, status quo shall be maintained.

However, it is made clear that pendency of proceedings before this Court against the impugned order passed by the Executing Court shall not be a hindrance for the petitioner to move an



appropriate application before the First Appellate Court to seek permission for payment of decretal amount as per decree under challenge. Consequently, upon payment thereof, petitioner may seek withdrawal of the first appeal. In the event any such application is filed before the First Appellate Court, the same shall be disposed of in accordance with law”.

Learned counsel for the petitioner as well as the respondent have submitted that the petitioner in pursuance of the said order had filed an application before the First Appellate Court where the appeal has also been filed against the judgment and decree dated 12.10.2018. It is submitted that the same was last listed on 21.08.2024. It has also been jointly prayed that the present petition be disposed of with a direction to the First Appellate Court to decide the said application in accordance with law on the next date of hearing or within a period of three months from today.

Keeping in view the above facts and circumstances of the case, the present petition is disposed of with a direction to the First Appellate Court to decide the application filed by the petitioner in pursuance of the order dated 28.01.2022 passed by this Court, as expeditiously as possible and preferably within a period of three months from today.

It is made clear that this Court has not opined on the merits of the application or the case and the First Appellate Court would consider the case independently, in accordance with law.

Pending miscellaneous application, if any, shall stand disposed of.

02.09.2024

D.Bansal

(VIKAS BAHL)
JUDGE