

152. 2024:PHHC:047949
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-6004-6005-CII-2024 IN
Civil Revision No.936 of 2024
Date of decision: 08.04.2024

Sukhdev Singh Khaira and others Petitioners

Versus

Kirpal Singh and others Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Arun Jindal, Advocate and
Mr. Kanish Jindal, Advocate, for the applicant-petitioners.

GURBIR SINGH, J. (Oral)

CM No.6004-CII-2024

Prayer in this application filed under Section 151 CPC is for preponing the date of hearing in the main case which is fixed for 01.05.2024.

For the reasons mentioned in the application, the same is allowed. Hearing in the main case is preponed to today and the case is taken on board today itself.

CM No.6005-CII-2024

Prayer in this application filed under Section 151 CPC is to place on record zimni orders as Annexure P-4 and also for exemption from filing certified copies thereof.

For the reasons mentioned in the application, the same is allowed and the zimni orders (Annexure P-4) are taken on record subject to all just exceptions.

Civil Revision No.936 of 2024

1. Challenge in this revision petition filed under Article 227 of the Constitution of India is for issuance of direction to the trial Court to decide the Civil Suit No.2226 of 2015 titled as *Kirpal Singh and others Versus Gurdeep Kaur Khaira and others*, filed by the respondents No.1 to 4-plaintiffs, at the earliest which is pending for the last more than 9 years and now is at the stage of evidence of the plaintiff.

2. Learned counsel for the petitioners-defendants submits that respondents No.1 to 4-plaintiffs filed a suit for specific performance of agreement to sell dated 28.01.2000 in respect of land as mentioned in the headnote of the plaint; for mandatory injunction directing defendants No.1 and 2 to execute and get registered the sale deed of land in dispute; for declaration that the entry of mutation made in the name of defendants No.4 and 5 regarding inheritance of land left by Dhanta Singh is illegal, null and void; and for grant of permanent injunction. Said suit was filed in the year 2015. Pursuant to notice, defendants appeared and filed written statement. Issues were framed and thereafter, case was fixed for the evidence of plaintiff. It is contended that the evidence of plaintiff has not concluded yet. The suit before the trial Court is pending for the last more than 9 years and the plaintiff is delaying the matter on one pretext or the other.

2.1 Learned counsel further submits that the petitioners would be satisfied if direction is issued to the learned trial Court to decide the case in a time bound manner.

3. Without commenting anything on the merits of the case, present revision petition is disposed of with a direction to the trial Court to decide the civil suit filed by the respondents No.1 to 4-plaintiffs expeditiously, in accordance with law, and shall ensure that no unnecessary adjournment is given in this case.

(GURBIR SINGH)
JUDGE

April 08, 2024
sanjeev

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