

2024:PHHC:035613

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
129

CM-4194-CII-2024 &
CR-987-2024

Date of decision: 13.03.2024

RENU

.....PETITIONER

Versus

NISHI UPPAL

.....RESPONDENT

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Satish Chaudhary, Advocate,
for the applicant-petitioner.

RITU TAGORE, J.

CM-4194-CII-2024

Prayer in this application is for pre-ponement of the date of hearing in the main case as well as for placing on record copies of zimni orders (Annexure A-1).

For the reasons mentioned in the application, the same is allowed subject to just exceptions. The date of hearing fixed in the main case is preponed from 04.07.2024 to today and the same is taken on Board. Copies of zimni orders are taken on record as Annexure A-1.

CR-987-2024

1. Prayer in this revision petition is to issue directions to the learned Civil Judge (Junior Division), Patiala to hear the suit titled as Nishi Uppal vs. Sarita bearing CIS No. CS/1202/2014.
2. Given the limited prayer, the issuance of notice to the respondent is dispensed with.

3. I have heard the learned counsel for the petitioner and with his able assistance, have gone through the paper book.

4. From the paper-book, it is made out that respondent No. 1/plaintiff filed a civil suit captioned above against the petitioner and others, seeking a declaration that he is a sole owner of the suit property, on the grounds as pleaded in the suit. The *zimni* orders placed on record indicate that the aforementioned suit was scheduled for rebuttal evidence or otherwise for arguments. Thereafter, it was adjourned awaiting orders from the learned District Judge, Patiala, where a Transfer Application was pending for adjudication. Annexure P-3 is the order dated 12.12.2023 passed by the learned District Judge, Patiala indicating that application for transfer of case was dismissed. The other *zimni* orders placed on record reveals that thereafter, the case was posted awaiting decision from this Court on Transfer Application of the case.

5. Further, perusal of the paper-book reveals that the aforementioned suit was instituted way back in 2014. Since then, nine years have passed, and the parties are still awaiting a decision. The next date fixed before the learned Trial Court is 30.04.2024.

6. This Court is conscious of the fact that the Courts across the country are reeling under the burden of backlog of cases, yet the Courts cannot shun away from their prime duty to decide the cases pending before it in a time bound manner. Timely justice is the hallmark of a vibrant and robust judicial system. The concept of right to speedy trial focuses on expeditious case resolution to enhance the efficacy and credibility of judiciary.

7. In view of the above and limited prayer made by the counsel for

the petitioner, learned lower Court is directed to decide the suit
aforementioned preferably on the date of hearing scheduled before the trial
Court i.e. 30.04.2024 or any other date convenient to the Court but not
exceeding four months from the date fixed before the learned trial Court.
Needless to mention, the concerned parties shall cooperate with the learned
Court in deciding the matter expeditiously.

8. In view of the facts discussed above, this revision Petition
stands disposed of.

9. Pending applications, if any, also stands disposed of
accordingly.

March 13, 2024
pj

(RITU TAGORE)
JUDGE

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