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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-1980-2024 (O&M)
Date of decision : 03.04.2024

Shree Raghunath Mandir Society Regd. ... Petitioner(s)

Versus

Raj Kumar Gupta & Anr. ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Aayush Gupta, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

1. Prayer in the present revision petition is for issuance of directions to the Appellate Authority to decide the Rent Appeal bearing No.83 of 2019 titled as “Raj Kumar Gupta Vs. Shri Raghunath Mandir Society etc.” in a time bound manner.
2. The dashboard of the Court concerned at Ludhiana, available on the website of National Judicial Data Grid, reveals that there are 4009 Civil Appeals pending before the concerned Court including Rent Appeals, out of these 771 are 5 to 10 years old and 871 are 3 to 5 years old.
3. Hon’ble Supreme Court in the case titled as **High Court Bar Association, Allahabad Vs. State of U.P. & Ors. [2024 (2) RCR (Civil) 199]** has held in para No.37(c) as under :

“37(c) Constitutional Courts, in the ordinary course,

should refrain from fixing a time-bound schedule for the disposal of cases pending before any other Courts. Constitutional Courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritizing the disposal of cases should be best left to the decision of the concerned Courts where the cases are pending”

4. Merely because an appeal has been preferred by the tenant challenging the acceptance of the rent petition by the Rent Controller would not entitle the landlord to steal a march over all the cases which have been pending since much earlier.

5. No exceptional circumstances have been shown to this Court for issuance of directions to the Appellate Authority to decide the appeal in a time bound manner. The present revision petition is accordingly dismissed. Pending applications, if any, also stand disposed off.

03.04.2024

Yogesh Sharma

(ALKA SARIN)

JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO