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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

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Date of Decision: 16.05.2024.

Kailash Aggarwal

...Petitioner.

Versus

Suraj Paul Dias

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Manish Soni, Advocate
for the petitioner.

Sukhvinder Kaur, J.

By way of present revision petition, the petitioner seeks issuance of direction to learned Civil Judge (Junior Division) Gurugram, to expedite the proceedings in Civil Suit bearing No.CS/2818/2022 dated 17.06.2022 titled as '*Kailash Aggarwal Vs. Suraj Paul Dias*' filed by the petitioner for possession, recovery of arrears of rent, damage, mesne profits and permanent injunction, within a time bound frame.

2. Vide order dated 26.04.2024, status report of the said case was called from the Court concerned alongwith the reasons for delay.

3. In compliance of order dated 26.04.2024 passed by this Court, status report from the Court concerned has been received. In the status report, it has been submitted that on 14.03.2024, the case was fixed for plaintiff's evidence but no evidence of the plaintiff was produced on the said date. An application was moved by the plaintiff "for allowing him to place

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replication on record in view of the changed circumstances in the present case". It was also noticed that an application under Order XXXIX Rule 10 CPC had been filed by the plaintiff on 17.06.2022, then the case was adjourned to 27.03.2024 for filing reply on behalf of the defendants to the aforesaid applications. On 27.03.2024, the defendants filed reply to the application for "allowing plaintiff to place a replication on record in view of the changed circumstance in the present case" but no reply was filed to the application under Order XXXIX Rule 10 CPC and the case was adjourned to 10.04.2024, for filing reply to the said application and for consideration of the application for placing on record the replication by the plaintiff. On 10.04.2024, reply to the said application was filed by the defendant. Then another application for "restoration of essential services" was filed by the defendant under Section 151 CPC and the case was adjourned to 15.04.2024 for consideration on the above said applications and for filing reply to the application for restoration of essential services. On 15.04.2024, reply was filed by the plaintiff to application for restoration of essential services and the matter was adjourned to 22.04.2024. On 22.04.2024, on request of both the parties the matter was referred to Mediation Center, Gurugram and the report of mediation was being awaited for 04.05.2024.

4. In view of the above, the present revision petition is disposed of with a direction to learned trial Court, to decide the Civil Suit bearing No.CS/2818/2022 dated 17.06.2022 titled as '*Kailash Aggarwal Vs. Suraj Paul Dias*' filed by the petitioner, expeditiously in accordance with law, without granting any unwarranted adjournments.

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5. All pending applications, if any, also stand disposed of accordingly.

(SUKHVINDER KAUR)
JUDGE

16.05.2024.
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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No