

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.1229 of 2021 (O&M)

Date of Order: 12.07.2023

Amit Garg and another

.Petitioners

Versus

Surinder Singh Sandhu and others

..Respondents

CR No.1231 of 2021 (O&M)

Ajay Garg and another

...Petitioners

Versus

Gurdev Kaur Grewal and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rose Gupta, Advocate and
Ms. Yashika Walia, Advocate
for the petitioners

Mr. Amaninder Preet, Advocate, for
Mr. Inderjit S. Luthra, Advocate
for respondent no.1 and 2 (in CR-1229-2021)
for respondent no.1 and 2 (a & b) (in CR-1231-2021).

Ms. Sheenam Kamboj, Advocate
for Mr. D.S.Sobti, Advocate
for respondent no.5 (in CR-1231 of 2021)

ANIL KSHETARPAL, J

1. Two connected suits filed in the year 2010 with respect to a common property are still pending in the two courts even after a passage of 13 years. The application for the grant of temporary injunction was contested all the way to the Hon'ble Supreme Court. While disposing of the Special Leave Petition on 14.05.2018, the Hon'ble Supreme Court directed the trial court to dispose of the suit expeditiously. Even after a passage of 5 years from the date the directions were issued by the Supreme Court, the

suits are stated to be still pending.

2. In these two revision petitions, the directions have been sought to the trial court for deciding the suits expeditiously. In substance, the petitioners, who are defendants no.6 and 7 pray for an appropriate direction to the trial court for complying the directions issued by the Hon'ble Supreme Court, on 14.05.2018.

3. Keeping in view the facts of the case, a progress report was sought from the trial court which was submitted on 22.11.2021.

4. The learned counsel representing the petitioners has informed the court that the case is fixed for the defendant's evidence, however, an application filed by the plaintiffs for recall of the order by which their evidence was closed has to be decided yet. It has been submitted that the order by which the evidence of the plaintiffs was closed has already been upheld in the revision petition by this Court.

5. The expeditious disposal of the litigation is one of the basic ingredients of the administration of justice. It is well known that the delay in adjudicating of the case more often than not results in denial of justice. The pendency of the suit for the last 13 years before the first court is sufficient to treat the suits as old cases which are required to be decided on a priority basis. The High Court has been repeatedly advising the trial courts to dispose of the old suits expeditiously.

6. The learned counsels representing the parties including the plaintiffs have no objection if the direction is issued to the trial court for conclusion of the trial positively within a period of next six months, from today.

7. Keeping in view the aforesaid facts, the revision petitions are disposed of while requesting the trial court to ensure the disposal of the suits within a period of 6 months, positively. It is expected that the learned trial court would intimate the registry of this court after decision of the suits which shall be placed on the file of these revision petitions.

8. All the pending miscellaneous applications, if any, are also disposed of.

July 12, 2023
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	:YES/NO
Whether reportable	:YES/NO