



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Civil Revision No. 3755 of 2024 (O&M)
Date of Decision: 08.07.2024

Seeta Devi and another
..... Petitioners

Versus

Avtar Singh and another
..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manmeet Singh Rana, Advocate
for the petitioners-plaintiffs.

HARKESH MANUJA, J. (ORAL)

The petitioners-plaintiffs, by way of present revision petition filed under Article 227 of the Constitution of India, seeks issuance of directions to First Appellate Court for deciding the application dated 06.02.2023 (Annexure P-2) filed at their instance in *Civil Appeal No. 33 of 2023*, titled “*Seeta Devi Versus Avtar Singh @ Tari etc.*”, restraining the respondents from alienating the suit property in a time bound manner.

[2] The case of the petitioners-plaintiffs is that they filed a suit for possession of agricultural land and shops with a consequential relief of permanent injunction restraining the defendants from interfering in the property in question, which was dismissed by the trial Court vide its judgment and decree dated 19.12.2022. Aggrieved thereof, the petitioners preferred an appeal alongwith an application dated 06.02.2023 for restraining the respondents from alienating the property, which came up for hearing on 07.02.2023. The said appeal alongwith interim application is

stated to be pending for 30.07.2024.

[3] Learned counsel for the petitioners-plaintiffs submits that the petitioners are in apprehension that the respondents may create third party interest by alienating the suit property; thus, prayer is for issuance of directions to the First Appellate Court to decide, at least, the interim application in a time bound manner.

[4] I have heard learned counsel for the petitioners and considered the submissions made on behalf of the petitioners.

[5] In the present case, the appeal alongwith application for restraining the respondents from alienating the property in question is pending since February 2023. Hence, without commenting upon the merits of the controversy, the present revision petition is **disposed off** with a direction to the First Appellate Court, i.e. District Judge, SBS Nagar, to decide either the main appeal, or, at least, the application filed at the instance of petitioners, seeking restraint order against the respondents from alienating the property in question, if possible, on the date fixed, i.e. 30.07.2024, or within a period of four weeks thereafter.

July 08, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No