

2024:PHHC:120379



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

CR-5040-2024 (O&M)
Date of decision: 12.09.2024

Ritu Chaudhary and another

...Petitioners

Versus

Gurdeep Kaur and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Jagdish Manchanda, Advocate for the petitioners.

VIKAS SURI, J. (Oral)

1. Prayer in this petition under Article 227 of the Constitution of India at the instance of the plaintiff-petitioners is for issuance of direction to learned Civil Judge (Senior Division), Panipat, to conclude the trial in Civil Suit No.228 of 2019 titled as '*Ritu Chaudhary vs. Gurdeep Kaur*' in a time bound manner as the pleadings are complete since 2019 and the case is being adjourned on one pretext or the other.

2. The facts that have given rise to the present petition are that the plaintiff-petitioners filed a suit for rectification of the sale deed dated 04.07.1981 bearing wasika No.2528/1 executed by Darshan Singh son of Mann Singh in favour of Satish Kumar Chaudhary and for declaration. The defendant-respondents filed their written statement conceding the claim of the plaintiff-petitioners and further making preliminary



submission that had the plaintiffs earlier pointed out the discrepancy in the sale deed, they would have done the needful.

3. Learned counsel for the petitioners refers to the *zimni* orders reproduced in paras 10 to 27 of the petition to submit that since 21.01.2022, the matter is being adjourned for arguments by observing 'arguments not addressed'. Learned counsel for the petitioners further submits that pleadings of the parties in the present case are such that the suit ought to have been decreed in terms of Order 12 Rule 6 CPC. It is submitted that the case is now pending for 14.09.2024.

4. Learned counsel for the petitioners undertakes on behalf of the plaintiff-petitioners that they would present themselves before the trial Court on the date already fixed, through their counsel, to assist the Court and further pray that the same be heard on the said date or any other date convenient to the Court, preferably in the month of September itself.

5. I have heard learned counsel for the petitioners and perused the record with his able assistance.

6. There is no dispute with regard to the facts noticed above as the same are based on the documents appended with the revision petition and the *zimni* orders passed by the trial Court. It is not disputed that the trial is now pending for 14.09.2024 for arguments. In view of the aforesaid and the undertaking on behalf of the plaintiff-petitioners noticed above, without commenting upon the merits of the case, the present petition is disposed of with a request to the learned trial Court to



expeditiously dispose of the suit in a time bound manner, preferably within a period of two months from the date already fixed. The parties are at liberty to make a mention before the Court concerned and reiterate the request noticed hereinabove.

7. The revision petition is disposed of with the aforesaid observations.

September 12, 2024
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(VIKAS SURI)
JUDGE

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