



**CR-5656-2024 (O&M)**

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH  
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**CR-5656-2024 (O&M)**

**Date of decision: 26.09.2024**

**CHOLAMANDALAM INVESTMENT AND FINANCE COMPANY LTD.**

**.....PETITIONER**

**Versus**

**AKSHAR KUMAR AND OTHERS**

**.....RESPONDENTS**

**CORAM: HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. Tanvir Singh Attariwala, Advocate,  
for the petitioner.

**RITU TAGORE, J. (ORAL)**

1. Prayer in this revision petition is for issuance of directions to the learned Civil Judge (Junior Division), Ludhiana, for expeditious time bound disposal of the application for impleadment under Order 1 Rule 10 CPC (Annexure P-11) filed by the petitioner in Civil Suit bearing registration No. CS/22356/2023 dated 19.12.2023 (Annexure P-7) titled as 'Jagjit Singh vs. Akshar Kumar etc.'

2. Learned counsel representing the petitioner submits that the petitioner is a lender bank and is a mortgagee of the suit property i.e. House No. 45-L, Model Town, Ludhiana, which has initiated the recovery proceedings under the SARFAESI Act, 2002 against respondents No. 1 to 3/borrowers. The respondents No. 1 to 4 in active connivance with each other and having complete knowledge regarding the SARFAESI proceedings and possession of the suit property with the petitioner-bank, caused a civil suit (Annexure P-7) to be filed and obtained an ex-parte stay order dated 20.12.2023 (Annexure P-8).



3. The learned counsel submits that the petitioner-Bank filed an application under Order 1 Rule 10 CPC for its impleadment in the suit (Annexure P-7). It is stated that the application is pending for adjudication before the learned trial Court and the respondents are unnecessarily delaying the arguments on the application under order 1 Rule 10 CPC and seeking adjournments on one pretext or the other. To support his arguments, refers to the *zimini* order (Annexure P-12).

4. Given the limited prayer, the issuance of notice to the respondent is dispensed with.

5. I have heard the learned counsel for the petitioner and with his able assistance, have gone through the paper book.

6. In view of the above and limited prayer made by the counsel for the petitioner, learned trial Court is directed to decide the application for impleadment under Order 1 Rule 10 CPC (Annexure P-11) filed by the petitioner, expeditiously. Needless to mention, the concerned parties shall cooperate with the learned Court in deciding the application in expeditious manner.

7. In view of the facts discussed above, this revision petition stands disposed of.

8. Pending applications, if any, also stand disposed of accordingly.

**September 26, 2024**

*pj*

**(RITU TAGORE)  
JUDGE**

*Whether speaking/reasoned: Yes/No*

*Whether reportable: Yes/No*