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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-6425-2024

Date of decision : 14.11.2024

Ram Labhaya and others

... Petitioners

Versus

Amarjit Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Hitesh Ghai, Advocate
for the petitioners.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for directing the Additional District Judge, Ludhiana to decide the application (Annexure P-3) under Order 41 Rule 5 CPC for staying the operation of the judgment and decree dated 30.11.2023 (Annexure P-1).

2. Learned counsel for the petitioners has submitted that against the judgment and decree dated 30.11.2023, the petitioners had filed an appeal on 04.01.2024 along with an application under Order 41 Rule 5 CPC. In the said appeal, notice of motion was issued by the Additional District Judge, Ludhiana, vide order dated 05.01.2024 after observing that there are fairly arguable points involved in the appeal. It is submitted that thereafter the matter has been adjourned and the matter is now listed for



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11.04.2025. It is prayed that the Ist Appellate Court be requested to decide the application under Order 41 Rule 5 CPC as expeditiously as possible in case the main appeal itself cannot be decided for any reason.

3. Keeping in view the abovesaid facts and circumstances, the present petition is disposed of with a request to the Ist Appellate Court to decide the application under Order 41 Rule 5 CPC, which is now listed for 11.04.2025, as expeditiously as possible, preferably within a period of two months from 11.04.2025 in case the main appeal itself cannot be finally adjudicated for any reason.

(VIKAS BAHL)
JUDGE

November 14, 2024.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No