

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-7526-2023 (O&M)
Date of Decision : 11.01.2024.

Naresh Kumar PuniwalaPetitioner

VERSUS

Om Parkash (since deceased) through his LR's. Respondents

CORAM : HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Karan Bhardwaj, Advocate for the petitioner.

:-

SUDEEPTI SHARMA, J. (Oral)

1. The petitioner in the present revision petition filed under Article 227 of the Constitution of India has impugned order dated 30.10.2023 (Annexure P-7), vide which the objections dated 17.10.2023 (Annexure P-6) submitted by the petitioner have been dismissed. Further, he is asking for setting aside orders dated 30.10.2023 (Annexure P-8) and 10.11.2023 (Annexure P-9), vide which alleged encroachment has been directed to be removed from the suit property.

2. Learned counsel for the petitioner contends that his appeal bearing No.470 of 2017 is pending since the year 2017 (Annexure P-2) and his application under Order 39 Rules 1 & 2 CPC (Annexure P-3) has not been decided till date by the learned Additional District Judge, Bhiwani. He further contends that without deciding his application as well as his appeal, the above-mentioned impugned orders have been passed.

3. Heard.

4. Without going into the merits of the present case; after perusing the case file and in the interest of justice, this Court deems it

appropriate to direct learned Additional District Judge, Bhiwani, to decide the application (Annexure P-3) as well as the appeal (Annexure P-2), expeditiously, preferably within a period of six months from today.

- 5. Ordered accordingly.
- 6. During the pendency of the said appeal, the operation of the impugned orders shall remain stayed.
- 7. Disposed of. Pending applications, if any, also stand disposed off.

January 11, 2024
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(SUDEEPTI SHARMA)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No