



CR-6886-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-6886-2024

Date of decision : 27.11.2024

Anil Kumar (since deceased) through his LRs.

... Petitioner

Versus

Krishna Devi and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Kamaldeep Singh Sidhu, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for directing the Civil Judge (Jr.Div.), Kharar, District SAS Nagar to decide an application under Order 39 Rule 1 and 2 CPC (Annexure P-3A) filed along with the suit filed by the plaintiff.

2. Learned counsel for the petitioner has submitted that along with the suit filed by the petitioner, the petitioner had also filed an application under Order 39 Rule 1 and 2 CPC dated 05.08.2019 (Annexure P-3A) and the defendants had sought time to file reply to the main suit as well as to the stay application and ultimately defendants no.1 to 4 had filed replies to the stay application and main suit on 05.08.2021 and on 17.11.2021, defendants no.5 to 7 filed replies to the main suit as well as to the stay application and issues were framed on 09.03.2022 and thereafter the



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plaintiff evidence has been recorded. It is submitted that said application under Order 39 Rule 1 and 2 CPC has not been decided till date and the petitioner had moved an application (Annexure P-9) for taking up the said case for deciding the stay application. It is further submitted that the case is now fixed for 29.11.2024 and the petitioner has prayed that the application under Order 39 Rule 1 and 2 CPC be decided by the trial Court as expeditiously as possible in a time bound manner.

3. Keeping in view the abovesaid facts and circumstances moreso, the fact that the application dated 05.08.2019 is pending as per the case of the petitioner, the present petition is disposed of with a request to the trial Court to decide the stay application under Order 39 Rule 1 and 2 CPC, as expeditiously as possible, preferably within a period of one month from 29.11.2024. All the counsels appearing before the trial Court are requested to fully assist the trial Court in expeditious disposal of the said application.

(VIKAS BAHL)
JUDGE

November 27, 2024.
Davinder Kumar

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