

2024:PHHC:162522



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-61052-2024 (O&M)
Date of Decision:-05.12.2024

Devender Mohan

... Petitioner

Versus

Lata Thakur

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kapil Sharma, Advocate for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

1. Today, at the very outset, learned counsel for the petitioner submits that the matter is fixed before the lower Appellate Court for 12.12.2024 and that the petitioner as well as petitioner's counsel before the lower Appellate Court shall argue the matter on said date or any other date, as may be fixed by the lower Appellate Court so that the same may be disposed of expeditiously.
2. Having heard the learned counsel for the petitioner, the instant petition is disposed of with a direction to the lower Appellate Court not to enforce upon the condition of the deposit of 20% of the amount of compensation, as had been directed vide impugned order dated 09.10.2024 (Annexure P-3). The said protection shall remain in operation only till 29.01.2025, subject to the

*CRM-M-61052-2024 (O&M)*

(2)

condition that the petitioner addresses arguments on the appeal itself on 12.12.2024.

3. If, for any reason, the appeal cannot be disposed of till 12.12.2024, then a short date be fixed thereafter, not longer than one week to enable the parties to address arguments in appeal. Every effort shall be made by the Court concerned to finally dispose of the appeal at the earliest. In case, the counsel for the appellant does not come forward to argue the appeal, or adjournment is sought, stay shall stand automatically vacated, unless the lower Appellate Court finds reason to extend the stay. In case, arguments are not addressed, it shall also be open to the lower Appellate Court to nominate some counsel from Legal Aid Panel to assist the Court on behalf of the appellant, so that the matter is disposed of at the earliest.
4. A copy of this order be conveyed to the Additional Sessions Judge concerned for information & necessary compliance.
5. The instant petition is disposed of accordingly.

05.12.2024

mohan

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No