



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-7130-2025

Date of Decision:07.02.2025

Vikas Walia

...Petitioner

VS.

State of Haryana and Anr.

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. P.S Ahluwalia, Advocate with
Ms. Bhavi Kapur, Advocate,
Ms. Isha Goyal, Advocate
Mr. Param Saini, Advocate and
Ms. Saumya Ahluwalia, Advocate
for the petitioner.

Mr. D.S Maan, DAG, Haryana.

Mr. Vineet Sharma, Advocate
for the complainant/respondent No.2.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of B.N.S.S with a prayer to quash the impugned order dated 07.12.2024 (Annexure P-13) passed by the Court of Additional Sessions Judge, Panchkula, in CRA-127-2024 titled as "Vikas Walia Vs. Chetna Mittal and Anr.", whereby the application filed by the petitioner seeking dispensing with the condition of deposit of 20% of compensation amount was ordered to be dismissed.

2. During the course of hearing, learned counsel for the parties jointly submit that without commenting on the merits of the case, the impugned order (Annexure P-13) may be set aside; however, the Appellate Court may be directed to decide the appeal bearing No.CRA-127-2024 in a time bound

manner. The parties have also agreed that the present appeal may also be heard by any other Presiding Officer in District Court Panchkula, who is also competent to hear the present appeal.

3. Learned counsel appearing on behalf of respondent No.2 also submits that the respondent No.2 has moved a petition before the Court of Sessions Judge, Panchkula for transfer of the present appeal from the Court of Sh. Parveen Kumar Lal, Additional Sessions Judge, Panchkula and he shall withdraw the said petition within a period of 01 week from today by moving an application.

4. I have considered the submissions made by learned counsel for the parties and find the prayer made by learned counsel for the parties to be genuine.

5. Consequently, without commenting anything on the merits of the case, the impugned order dated 07.12.2024 (Annexure P-13) is set aside and the Appellate Court may not insist of deposit of 20% of the amount of compensation. Further, Sessions Judge, Panchkula is directed to transfer the appeal No. CRA-127-2024 from the Court of Sh. Parveen Kumar Lal to either himself or to any other Court of competent jurisdiction at Panchkula. After such transfer, the Appellate Court shall decide the appeal within a period of four months from the date of first listing before the said Court.

6. Disposed off.

(N.S.SHEKHAWAT)
JUDGE

07.02.2025
hitesh

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