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

(299-1)

CR-1889-2023

Date of decision: - 15.09.2025

S.D. (Sanatan Dharam) Public Sen. Secondary School**....Petitioner****Versus****Santosh Gupta and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. S.K. Verma, Advocate, and
Mr. Jatin Verma, Advocate
for the petitioner.

Mr. Amit Kumar Jain, Advocate
for respondent No.1.

VIKAS BAHL, J. (ORAL)

1. Present civil revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 15.02.2023 (Annexure P-5) passed by the Additional District Judge, Jind and the order dated 02.03.2023 (Annexure P-8) passed by the Civil Judge (Junior Division), Narwana.

2. Learned counsel for the petitioner has submitted that in the present case, against the judgment and decree dated 04.04.2022 (Annexure P-3), the petitioner had filed a first appeal in the year 2022 itself and the said appeal is pending for final adjudication along with the application for stay for 04.11.2025. It is submitted that in the meantime



the executing Court had taken coercive steps to execute the decree, however the Co-ordinate Bench of this Court vide order dated 24.03.2023 was pleased to stay the operation of the impugned order dated 02.03.2023. It is stated that in the said circumstances, the 1st Appellate Court be directed to decide the first appeal which is of the year 2022 in a time bound manner. It is further stated that counsel for the petitioner would be ready to argue the appeal on 04.11.2025 or any other date which the Appellate Court directs the counsel to argue on. It is submitted that till the time the first appeal is decided, the interim order granted in favour of the petitioner be continued.

3. Learned counsel for the respondent, on the other hand, has submitted that the granting of stay or continuance of the said stay order should not be construed as an expression on the merits of the case and the Appellate Court be directed to decide the appeal in a time bound manner and has further submitted that the counsel for respondent No.1/plaintiff would also be ready to argue the appeal on 04.11.2025 or any other date which the Court directs the counsel for respondent No.1 to argue on.

4. Keeping in view the above-said facts and circumstances and the fair stand taken by the learned counsel for the petitioner as well as by the respondent No.1, the present revision petition is disposed of with the following directions/observations: -

- (i) The 1st Appellate Court is requested to decide the first appeal filed by the present petitioner against the judgment and decree dated 04.04.2022 i.e. CA-76-2022, as expeditiously as



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possible, preferably, within a period of three months from 04.11.2025.

- (ii) As undertaken before this Court, counsel for all the parties concerned appearing before the 1st Appellate Court would fully prepare the case and argue the matter on 04.11.2025 or on any other date as given by the 1st Appellate Court.
- (iii) Interim order dated 24.03.2023 passed by the Co-ordinate Bench of this Court to the extent that operation of the impugned order dated 02.03.2023 shall remain stayed would continue till the decision in the first appeal before the 1st Appellate Court. The grant and continuance of the said stay order should not be construed as an expression on the merits of the case and the 1st Appellate Court would decide the matter independently, in accordance with law and after hearing all the parties concerned.

September 15, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No