



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

(127)

**CR No.1591 of 2025 (O&M)
Date of Decision: 18.03.2025**

Sunny Bhatia

...Petitioner

Versus

M/s Jai Hanuman Rice Industry and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Gopal Sharma, Advocate and
Ms. Palak Jain, Advocate
for the petitioner.

VIKRAM AGGARWAL, J (ORAL)

Prayer in the present revision petition preferred under Article 227 of the Constitution of India for issuance of direction to the Court of learned Civil Judge (Jr. Division), Karnal, to decide the application filed by the petitioner/defendant under Order 26 Rule 9 of the Code of Civil Procedure, 1908 (for short 'CPC') for the appointment of a Local Commissioner.

2. A suit (Annexure P-5) for declaration with consequential relief of permanent injunction was filed by the respondents/plaintiffs. Written statement (Annexure P-6) was filed by the petitioner/defendant. During the pendency of the said suit, an application under Order 26 Rule 9 CPC (Annexure P-8) was moved by the petitioner/defendant for the appointment of a Local Commissioner. The said application was opposed by way of reply (Annexure P-9). The sole grievance of the petitioner is that despite the application having been filed as far back as on 06.11.2023, the same has still not been decided and decision on the same is being delayed by the respondents/plaintiffs.

3. I have heard learned counsel for the petitioner.

4. Learned counsel for petitioner refers to the interlocutory orders Annexures P-10 to P-18 and submits that the application for appointment of Local Commissioner is not being decided at the instance of respondents/plaintiffs who are deliberately delaying the matter. Learned counsel submits that a direction be issued to the Court concerned to decide the application in a time bound manner. She submits that now the application is listed for consideration on 20.03.2025.

5. I have considered the submissions made by learned counsel for the petitioner.

6. This Court is conscious of the fact that a large number of cases are pending before Courts. All possible efforts are being made by the Courts to dispose of the matters and applications filed therein within time. However, at times, despite best efforts, certain issues remain pending, which of-course, affect one side to the *lis*.

Taking into consideration all facts and circumstances, and without binding down the Court concerned, I deem it appropriate to dispose of the present revision petition with a direction to the Court concerned to decide the said application expeditiously keeping in view the fact that the same has been pending for about 1 ½ years and rights of either of the parties would be adversely affected.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

March 18, 2025

Rekha

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