



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

229

CR-2259-2025 (O&M)

Date of Decision : 07.07.2025

THE BHOLATH MULTIPURPOSE CO-OPERATIVE
AGRICULTURE SERVICE SOCIETY LTD.

.... Petitioner

VERSUS

KULDEEP KUMAR AND OTHERS

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Harbans Sharma, Advocate for the petitioner.

Mr. Atul Jain, Advocate for respondent No.1.

ALKA SARIN, J. (ORAL)

1. Challenge in the present revision petition is to the order dated 12.03.2025 (Annexure P-10) passed by the learned Civil Judge (Junior Division), Bholath vide which the application filed under Order IX Rule 13 CPC was dismissed and the decree holder(s) was/were directed to file application under Order XXI Rule 66 CPC.

2. Admittedly, an appeal is pending challenging the judgment and decree dated 09.09.2016 before the learned Additional District Judge, Kapurthala. The said appeal has been filed along with an application for condonation of delay.

3. On 27.05.2025 the following order was passed :

'Mr. Atul Jain, Advocate has put in appearance on behalf of respondent No.1 and filed his vakalatnama, which is taken on record. He seeks some time to address arguments. On his request, adjourned to 07.07.2025.

Meanwhile, the Appellate Court is requested to decide the applications pending before it i.e. the application for amendment of the application under Section 5 of the Limitation Act, 1963 and the application under Section 5 of the Limitation Act, 1963.

Interim order to continue till the next date of hearing.'

4. Issues have been framed in the said application filed under Section 5 of the Limitation Act and the matter is now fixed for 24.07.2025 for evidence of the appellant therein.

5. In view of the fact that issues have already been framed and the matter is now fixed for evidence of the parties, this Court deems it appropriate to dispose off the present petition with directions to the Court concerned to decide the said application within a period of two months from the date of receipt of the certified copy of this order.

6. Accordingly, the present revision petition is disposed off with directions to the Court concerned to decide the application (supra) within a period of two months from the date of receipt of the certified copy of this order. In case the application for condonation of delay is allowed, then the stay application be heard and decided within a period of one month thereafter. Till such time the application(s) is/are not decided, the execution proceedings shall remain stayed.

7. Pending applications, if any, also stand disposed off.

07.07.2025

Aman Jain

(ALKA SARIN)

JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No