



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-18122-2025
Date of decision: 16.07.2025

Dhanwant
.... Petitioner

Vs.
State of Haryana and others
.... Respondents

CORAM: HON’BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Lohit Kumar Bimal, Advocate, Mr. Raghav Bimal, Advocate and Mr. Suchit Jain, Advocate, for the petitioner.

Mr. Bhupender Singh, Addl. A.G. Haryana.

KULDEEP TIWARI, J (Oral)

1. Through the instant writ petition, filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a mandamus upon the civil court concerned to expeditiously dispose of the civil suit No.CS-2308-2020 by holding trial on daily basis.
2. This Court, vide order dated 04.07.2025, at the time of issuance of notice of motion, had passed the hereinafter extracted order:

“The petitioner, who is a nonagenarian, has knocked the doors of this Court under Articles 226/227 of the Constitution of India, for issuance of a Mandamus upon the learned trial Court, for expeditious disposal of his civil suit No.CS-2308-2020.

A perusal of the paper book reveals that even the following applications are pending adjudication, and the pleadings in the suit (supra), are still incomplete:-

(i)	Application of petitioner under Order XXXIX Rule 1 and 2 of CPC	Pending since 02.11.2020
(ii)	Application of petitioner under Order VI Rule 17 of CPC	Pending since 04.11.2023
(iii)	Application of respondent No.2 under Order 10 Rule 2 of CPC	Pending since 04.01.2024
(iv)	Application of respondent No.10 and 12 for setting aside ex parte proceedings	Pending since 06.07.2024

Before the asked for Mandamus is passed, it is necessary to call for a report from the learned trial Court concerned, as to whether, how much time is required to adjudicate all the above-mentioned applications. The report shall be sent by the learned trial Court concerned, through a proper channel, before the next date of hearing.



The registry of this Court is directed to communicate this order to the learned trial Court concerned, for compliance.

Adjourned to 16.07.2025.”

3. In deference to the direction (supra), learned Civil Judge, through a proper channel, submitted its report. The status report carries the reasons for delay in deciding all the miscellaneous applications pending before the Civil Court. In the report dated 10.07.2025, learned Civil Court concerned has specifically submitted that, all sincere efforts will be made to decide the pending applications most expeditiously, preferably within 45 days.

4. Learned counsel for the petitioner, submits that the petitioner is 90 years old person and is awaiting the decision of the civil suit which is pending since the year 2020. Therefore, a direction be issued to decide the civil suit in a time bound manner.

5 This Court has heard learned counsel for the petitioner and has perused the entire case file.

6. After considering the submissions, as well as the status report submitted by the learned Civil Judge (Junior Division), Gurugram, it is found that the delay has occurred on account of miscellaneous applications filed by both the parties concerned. Now the Civil Court concerned has specifically mentioned that all the miscellaneous applications will be decided most expeditiously, preferably within 45 days. Therefore, this Court passes a mandamus upon the Civil Court concerned, to consider and decide all the pending applications within two months, from passing of this order, positively. Further, request of any of the parties for an adjournment, may not be entertained unless there are compelling circumstances. Further, a direction is also passed upon the Civil Court concerned, to make a sincere efforts to finally dispose of the civil suit preferred by the petitioner, most expeditiously.

7. **Disposed of**, accordingly.

(KULDEEP TIWARI)
JUDGE

16.07.2025
deepak

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