



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

122

CR-5861-2025 (O&M)

Date of Decision: 01.09.2025

Devi Dayal

....Petitioner

VERSUS

Tejpal and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Sanyam Khetarpal, Advocate, for the petitioner.

AMARINDER SINGH GREWAL, J. (ORAL)

1. The present revision petition has been instituted under Article 227 of the Constitution of India, seeking issuance of directions to the learned Civil Judge (Junior Division), Faridabad, for expeditious disposal of the application (Annexure P-1) filed under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908, by the respondents/plaintiffs in Civil Suit No. CS/1371/2020, titled "*Tej Pal & ors. vs. Devi Dayal and ors.*", preferably within a time-bound frame.

2. Learned counsel for the petitioner submits that the respondents/plaintiffs have instituted a Civil Suit for permanent injunction against the petitioner and other defendants, claiming themselves to be the owners in possession of the suit property, i.e., land measuring 7 Kanals comprised in Khasra No.25, situated in the revenue estate of Village Unchagaon, Tehsil Ballabhgarh, District Faridabad. Along with the said suit, an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908, has also been filed. Vide order dated 22.11.2023, the



learned Civil Judge (Junior Division), Faridabad, directed the parties to maintain status quo with regard to possession of the suit property. Thereafter, the matter has been adjourned on several occasions and various orders have been passed by the learned Civil Judge (Junior Division), Faridabad, between 01.12.2023 and 18.08.2025. However, despite repeated opportunities, the application under Order XXXIX Rules 1 and 2 CPC has not been finally adjudicated till date, thereby causing undue delay and serious prejudice to the rights of the petitioner. It is further submitted that the written statement has already been filed by the petitioner-defendants, yet the matter is being adjourned from date to date without any final decision on the said application. Ultimately, it is prayed that a direction be issued to the learned Civil Judge (Junior Division), Faridabad, to decide the aforesaid application under Order XXXIX Rules 1 and 2 CPC, in accordance with law, as expeditiously as possible.

3. In view of the order proposed to be passed, notice is not being issued to respondents-plaintiffs as it would delay the proceedings besides entailing additional expenses to the respondents-plaintiffs.

4. I have heard learned counsel for the petitioner and have gone through the material placed on record.

5. Considering the aforesaid facts, without expressing any opinion on the merits of the case, the present petition is disposed of. Learned Civil Judge (Junior Division), Faridabad, is directed to decide the application (Annexure P-1) filed by the respondents/plaintiffs under Order XXXIX Rules 1 and 2 CPC, as expeditiously as possible.



6. Pending Miscellaneous Applications, if any, shall stand disposed of.

01.09.2025

anil

(AMARINDER SINGH GREWAL)

JUDGE

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No