



CM-6551-CII-2025 in/and -1-
CR-7348-2024 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(248)

CM-6551-CII-2025 in/and
CR-7348-2024 (O&M)
Date of decision:- 09.04.2025

Geeta Rani

....Petitioner

Versus

Ram Lal and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sidharth Maini, Advocate,
for the applicant-petitioner.

Mr. Ashish Gupta, Advocate
for non-applicant/respondent No.1.

VIKAS BAHL, J. (ORAL)

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1. This is an application filed under Section 151 CPC for preponement of main case, which is stated to be fixed for 30.04.2025.

2. For the reasons mentioned in the present application, the same is allowed and the main case is preponed from 30.04.2025 to today itself.

CR-7348-2024 (O&M)

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 11.09.2024 (Annexure P-1) passed by the Civil Judge (Junior Division),



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Sri Anandpur Sahib.

2. Learned counsel appearing for respondent No.1, at the very outset, has raised a preliminary objection to the effect that after the remand of the case by the 1st Appellate Court, the trial Court had decided the suit afresh and had decreed the suit. It is submitted that a revision petition under Article 227 of the Constitution of India is not maintainable and even the said order is appealable.

3. Learned counsel for the petitioner has submitted that in view of the same, the petitioner be permitted to withdraw the present revision petition with liberty to file first appeal against the order dated 11.09.2024 but has prayed that since the petitioner was pursuing the present remedy, therefore, in case the petitioner files the appeal within a period of three weeks from today, then, the appellate authority be directed not to dismiss the said appeal solely on the ground of limitation. It is further prayed that since the warrants of possession has been issued, thus, for the said period of three weeks, the petitioner be not dispossessed.

4. Learned counsel for respondent No.1, in rebuttal, has submitted that the said order of status quo should not be construed as an expression on the merits of the case and the 1st Appellate Court be directed to decide the same independently, in accordance with law.

5. In view of the above, the present revision petition is dismissed as withdrawn with liberty to the petitioner to file first appeal in accordance with law, as in the impugned order it has been observed that the suit stands “decreed in terms of judgment and decree dated



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23.11.2021 passed by learned Predecessor of this Court'. In case any such appeal is filed by the petitioner within a period of three weeks from today, then, the appellate authority would not dismiss the said appeal solely on the ground of limitation. For the said period of three weeks, the status quo with respect to possession, as it exists today, would be maintained.

6. It is made clear that the grant of said interim order should not be construed as an expression on the merits of the case and further continuance of the same as well as the decision in the main case, would be done independently by the 1st Appellate Court after hearing both the parties in accordance with law.

7. Pending application, if any, stands disposed of in view of the above-said order.

April 09, 2025
naresh.k

**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No