



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

CR-7390-2025

DECIDED ON: 30.10.2025

SUKHJIT SINGH AND OTHERS

.....PETITIONERS

VERSUS

PARAMDEEP SINGH AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. P.S. Punia, Advocate
for the petitioners.

MANDEEP PANNU, J

1. The present revision petition has been filed under Article 227 of the Constitution of India against the order dated 04.09.2025, passed by the learned Additional District Judge, Ludhiana, whereby the appeal filed by the petitioners against the order dated 04.08.2025 of the learned Civil Judge (Junior Division), Khanna, was admitted for hearing, but no interim order staying the proceedings before the executing Court was passed.

2. It is submitted by learned counsel for the petitioners that the petitioners are third-party objectors in an execution petition titled as 'Paramdeep Singh vs. Surinder Singh'. They had filed objections under Order XXI Rule 58 read with Section 151 CPC, which were dismissed by the learned Executing Court vide order dated 04.08.2025. Aggrieved thereby, the petitioners preferred a civil miscellaneous appeal (CMA No. 285 of 2025) before the learned Additional District Judge, Ludhiana, who vide

order dated 04.09.2025, admitted the appeal for hearing and issued notice to the respondents for 15.10.2025, but did not pass any order on the petitioners' application seeking stay of execution proceedings. It is contended that the appellate Court should have granted stay of execution till disposal of the appeal, and that the omission to do so justifies interference by this Court in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India.

3. The matter being limited in scope and involving a short question of law, no notice was considered necessary to be issued to the respondent.

4. Having heard learned counsel for the petitioners and after perusal of the record, the first issue that arises for consideration is regarding the maintainability of the present revision petition.

5. It is a well-settled proposition of law that supervisory jurisdiction under Article 227 of the Constitution of India can be invoked only to correct jurisdictional errors or patent perversity apparent on the face of record. However, where a statutory appellate or revisional remedy is available, or where the order impugned is interlocutory in nature, the High Court ordinarily refrains from exercising its supervisory powers.

6. In the present case, the impugned order dated 04.09.2025 does not decide any right or issue finally. The learned Additional District Judge, Ludhiana has merely admitted the appeal for hearing and fixed a date for appearance of respondents. The appeal itself is still pending adjudication. The prayer for interim stay is part of the proceedings before the appellate Court and remains open to be considered at the stage of notice or thereafter, upon hearing both sides. The petitioners will have full opportunity to press

their application for stay on the next date of hearing before the appellate Court.

7. Thus, the order impugned cannot be said to cause any irreparable prejudice or constitute a jurisdictional error. Non-grant of interim stay at the stage of admission does not amount to refusal of stay, it merely indicates that the appellate Court found no urgency to pass *ex parte* interim orders without hearing the respondents. Therefore, no revision or supervisory interference is maintainable against such an interlocutory order which neither decides any substantive rights nor finally affects the *lis* between the parties.

8. Even otherwise, on merits, this Court finds no ground to interfere. The learned Additional District Judge, Ludhiana has already admitted the appeal, finding fairly arguable points involved, and the matter is fixed for hearing after issuance of notice and the application for stay of execution is still pending.

9. The executing Court, meanwhile, is bound by law to act in accordance with any stay order, if granted by the appellate Court, but in absence of such an order, the execution proceedings cannot be stayed by invoking Article 227 of the Constitution of India.

10. Accordingly, this Court finds no illegality, infirmity, or perversity in the order dated 04.09.2025 passed by the learned Additional District Judge, Ludhiana, which calls for interference in exercise of supervisory jurisdiction.

11. For the reasons recorded above, this Court holds that the present revision petition is not maintainable, as the impugned order is purely

interlocutory in nature and does not decide any substantive rights of the parties.

12. The revision petition is accordingly dismissed.
13. However, it is clarified that dismissal of this petition shall not preclude the petitioners from pressing their application for interim stay before the learned appellate Court, which shall consider the same on its own merits in accordance with law.
14. All pending miscellaneous application(s), if any, stands disposed of.

30.10.2025

Poonam Negi

(MANDEEP PANNU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>