

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

114**CM-23893-CII-2025 in/and
CR-8556-2025
Date of decision: 28.11.2025****SOMVIR**

. . . . Appellant

Vs.**SMT. KAVITA AND OTHERS**

. . . . Respondents

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr.Sandeep Kumar Yadav and
Ms.Sangeeta Yadav, Advocates,
for the applicant-appellant.

DEEPAK GUPTA, J. (ORAL)**CM-23893-CII-2025**

Although the main revision is fixed for 02.12.2025, but the present application is moved for preponing the date of hearing of the revision, submitting that warrants of possession have been issued on 20.11.2025 for 26.11.2025 and on 26.11.2025 the matter was adjourned to 27.11.2025 and then for today i.e. 28.11.2025.

For the reasons mentioned in the application, the same is allowed and the date of hearing of the main appeal is preponed from 02.12.2025 to today and the same is taken on board today itself.

CR-8556-2025

Learned counsel submits that suit for declaration and permanent injunction with consequential relief of possession filed by the plaintiff-Kavita (*respondent No.1 herein*) was decreed by the trial Court on 12.03.2024 (Annexure P1). Within time permitted by law, petitioner herein, who was defendant No.2 in the trial Court, preferred an appeal, which is pending for hearing before the First Appellate Court on 05.12.2025. Learned counsel submits further that before the First Appellate Court,

application for staying the operation of the judgment and decree of trial Court is also pending.

At this stage, learned counsel makes a simple prayer to stay the execution proceedings till the disposal of the application for stay by the First Appellate Court.

Without commenting anything on the merits of the case, the present petition is hereby disposed of by issuing direction to the First Appellate Court to dispose of the application for staying the implementation of the judgment and decree passed by the trial Court on 05.12.2025, in accordance with law, or if it is not possible on that date to dispose of the application, then to make every possible effort to dispose of the same within next one month. It is directed further that till the application for staying the operation of judgment and decree of the trial Court is decided by the First Appellate Court, further proceedings before the Executing Court shall remain stayed.

Since this order has been passed without issuing any notice to the contesting respondent-plaintiff, so she is at liberty to approach this Court in case she feels aggrieved.

28.11.2025

Vivek

Whether Speaking/reasoned

Whether reportable

Yes

No

(DEEPAK GUPTA)
JUDGE