



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

**CM No. 5331-CII-2026 IN/AND
CR No. 2202 of 2026 (O&M)
DATE OF DECISION: 17.03.2026**

HARPAL SINGH

.....PETITIONER

Vs.

SMFG INDIA CREDIT CO. LTD.

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Narinder Singh Dadwal, Advocate,
for the applicant-petitioner.

AMARINDER SINGH GREWAL, J.(ORAL)

CM No. 5331-CII-2026

(i) Application for placing on record a copy of the Civil Suit dated 03.06.2025 along with the application under Order 39 Rule 1 and 2 read with Section 151 Code of Civil Procedure, 1908 (for short '*the CPC*') as Annexure P-6 with the main petition is allowed, as prayed for. The aforesaid documents are taken on record as Annexure P-6, subject to all just exceptions. Office to tag the same at appropriate place.

CR No. 2202 of 2026 (O&M)

1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for issuance of an appropriate direction to the learned trial Court to decide the application filed under Order XXXIX Rules 1 and 2 CPC read with Section 151 thereof, filed by the petitioner, along with the main case dated 03.06.2025, within a



stipulated period, in case bearing No. CS/505/2025 titled as '*Harpal Singh vs. SMFG India*', pending for 14.04.2026.

2. Brief facts of the case are that the petitioner-plaintiff had filed a suit for mandatory injunction directing the respondent-defendant to issue a 'No-dues Certificate' as well as a 'No-objection Certificate' to the petitioner-plaintiff, and further directing the respondent-defendant to return the cheques and other documents given by the plaintiff to the defendant at the time of sanction of the loan. Notice of the suit was issued to the respondent-defendant.

3. Learned counsel for the petitioner submits that till date neither the written statement nor the reply to the application under Order XXXIX Rules 1 and 2 of the CPC, read with Section 151 thereof, has been filed by the respondent. He further submits he restricts his prayer only to the extent that the learned trial Court be directed to decide the said application within a time-bound manner.

4. In view of the facts of the present case, this Court is of the opinion that issuance of notice to the respondent would unnecessarily delay the proceedings; as such, issuance of notice to the respondent is dispensed with.

5. Keeping in view the facts and circumstances of the present case and after hearing the contentions raised by learned counsel for the petitioner, the present petition is disposed of with a direction to the learned trial Court to decide the application filed by the petitioner under Order XXXIX Rules 1 and 2 of the CPC, read with Section 151 thereof, after



giving an opportunity to the respondent to file a reply to the application, within a period of three months from today.

6. Pending miscellaneous application(s), if any, shall also stand disposed of.

MARCH 17, 2026	(AMARINDER SINGH GREWAL)
nitin	JUDGE
Whether Speaking	Yes
Whether Reportable	No