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

CR-2218-2026

Date of Decision: 09.03.2026

JASBIR KAUR

..... Petitioner

Versus

GURINDER PAL SINGH

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Surinder Gandhi, Advocate
for the petitioner.

YASHVIR SINGH RATHOR, J. (Oral)

1. This revision petition has been preferred under Article 227 of the Constitution of India for setting aside the order dated 16.02.2026, vide which the application moved by the petitioner/defendant for staying the execution proceedings in Execution Petition No. 21 of 2025, until the disposal of the appeal filed against the judgment and decree dated 07.04.2025, has been dismissed.

2. In view of the nature of the order proposed to be passed, issuance of notice to the respondent is dispensed with, as it would only delay the proceedings and cause unnecessary expenditure to the respondent.

3. I have heard the learned counsel for the petitioner/revisionist and have gone through the material on record.

4. As per version of the petitioner/defendant, the respondent filed a suit for mandatory injunction for seeking possession, which was

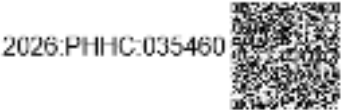


decreed vide judgment and decree dated 07.04.2025. Against the said decree, the petitioner/defendant has instituted an appeal which is pending in the Court of learned Additional District Judge, Amritsar, and along with the appeal, she has moved an application for staying the execution of the judgment and decree. However, the Appellate Court has adjourned the case for consideration on the application for stay, which is now fixed for 28.04.2026. In the meanwhile, the decree-holder has instituted an execution petition, and the learned Executing Court, vide the impugned order dated 16.02.2026, has dismissed the prayer for staying the proceedings.

5. The contention of the petitioner is that her appeal will become infructuous in case, warrants of possession are implemented and the execution of the judgment and decree dated 07.04.2025 is not stayed until the disposal of the stay application/appeal.

6. The grievance of the petitioner/defendant is, thus, bonafide. Against the judgment and decree dated 07.04.2025, the defendant/petitioner has already instituted an appeal and has made a prayer for staying the execution of the judgment and decree. However, neither the execution of the judgment and decree has been stayed nor the appeal has been disposed of. In case, the judgment and decree is implemented and the petitioner is dispossessed during the pendency of the appeal, the appeal will certainly become infructuous.

7. Resultantly, the present revision petition is disposed of with a direction to the learned Appellate Court to decide the application moved by the petitioner seeking stay of execution of the judgment and decree dated 07.04.2025, at the earliest. Till the said application for



staying the execution is decided by the learned Appellate Court, the execution of the judgment and decree dated 07.04.2025, and further proceedings in Execution Petition No. 21 of 2025, shall remain stayed.

8. Pending misc application (s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

09.03.2026
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No