

2026:PHHC:064610



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

125

CR-3577-2026

Date of decision :28.04.2026

RUPINDER KAUR DECEASED THROUGH HER LRS

... PETITIONER

VERSUS

MADHO KRISHAN ALIAS MADHAV JINDAL AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Rajesh Bhateja, Advocate
for the petitioner.

PARMOD GOYAL, J. (ORAL)

1. Present revision petition has been preferred by petitioner-defendant No. 2 under Article 227 of the Constitution of India for setting aside impugned order dated 07.04.2026 (Annexure P-7) passed by learned Civil Judge (Junior Division), Moga whereby application preferred by plaintiff-respondent Nos. 1 and 2 for appointment of Local Commissioner for suggesting mode of partition has been allowed.

2. Admittedly, in the present case, the petitioner has already preferred an appeal against the preliminary decree passed against him, which is stated to be pending before the learned District Judge, Moga. It is asserted that an application under Order 41 Rule 5 read with Section 151 CPC, 1908 for staying the operation of the judgment and preliminary decree has already been filed

3. In view of the above, no ground for interference in the present revision petition is made out. However, the Appellate Court is directed to decide the application for stay preferably on the date fixed before it, or within a period of 30 days from today.
4. Accordingly, the revision petition is disposed of with the above directions.
5. Pending miscellaneous application(s), if any, also stand(s) disposed of accordingly.

28.04.2026
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No