

2026:PHHC:079757



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

CR-4260-2026

Date of Decision: 20.05.2026

Amit Mehta

....Petitioner

Versus

Sumit Mehta and Others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Chandandeep Singh, Advocate,
for the petitioner.

VIKRAM AGGARWAL, J. (ORAL)

The instant petition, preferred under Article 227 of the Constitution of India, prays for the issuance of a direction to the Court of Additional District Judge, Bhiwani, to expedite the decision of CMA-148-2022 titled as 'Amit Mehta Versus Sumit Mehta and Others', pending before the said Court.

2. It has been averred that the application for injunction filed by the petitioner was dismissed by the Court of Additional Civil Judge (Senior Division), Tosham, vide order dated 26.09.2022. Aggrieved against the same, the petitioner filed CMA-148-2022 on 30.09.2022, which is pending adjudication before the first Appellate Court.

3. Learned counsel for the petitioner refers to interlocutory orders (Annexure P.4 Colly.) passed by the first Appellate Court, to submit that the appeal was instituted on 30.09.2022. Notice to the

respondents was issued vide order dated 01.10.2022. After service was complete, the matter was adjourned to 15.02.2023 for arguments vide order dated 03.01.2023. It is further submitted that since then, the matter is being adjourned from one date to the other, but without hearing the arguments. It is further submitted that now the appeal is fixed for arguments on 14.07.2026.

4. I have considered the submissions made by learned counsel for the petitioner.

5. There would be no necessity of issuing notice to the respondents, for, in view of the nature of the order that is proposed to be passed, no prejudice would be caused to them.

6. A perusal of the interlocutory orders (Annexure P.4 Colly.) passed by the first Appellate Court, would show that the notice of the appeal was issued to the respondents vide order dated 01.10.2022. After service was complete, the appeal was fixed for 15.02.2023 for arguments vide order dated 03.01.2023. Further, a perusal of the order dated 05.08.2025 shows that on the joint request of the parties, the matter was referred to the Mediation Centre, but no settlement took place and vide order dated 23.09.2025, the Court adjourned the same for arguments to 24.11.2025. As noticed above, the matter is now fixed for arguments on 14.07.2026.

7. From the said factual position, it is apparent that more than 3-1/2 years have gone by since the institution of the appeal and the same is still pending final adjudication before the first Appellate Court.

8. This Court is conscious of the fact that Courts are already burdened with a huge pendency of cases and it is not desirable to issue directions as regards time bound disposal of the same unless and until, the peculiar facts and circumstances of some particular case so require. Equally important is the fact that important rights of parties are involved in every litigation and Courts are duty bound to decide matters expeditiously failing which rights of parties are prejudiced.

9. Keeping in view the totality of the facts and circumstances of the case, the present revision petition is disposed of with a direction to the Court concerned, where CMA-148-2022 titled as 'Amit Mehta Versus Sumit Mehta and Others', is pending, to make concerted efforts to hear and decide the appeal on 14.07.2026 i.e. the date already fixed before the said Court or at best within one month thereafter.

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

(VIKRAM AGGARWAL)
JUDGE

20.05.2026
ds

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No