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

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Date of Decision: June 25, 2026

ASHWANU KUMAR HANDA @ ASHWANI HANDA

.....Petitioner

VERSUS**TARLOK SINGH (DECEASED) THROUGH HIS LRS**

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Ritesh Pandey, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Article 227 of the Constitution of India, seeking setting aside of the impugned order dated 14.05.2026 (Annexure P-4), passed by the learned Civil Judge (Senior Division), Gurdaspur, whereby the objections filed by the judgment-debtor, namely Ashwani Kumar Handa, in Execution Petition No. 310 of 2025, titled Tarlok Singh v. Ashwani Kumar Handa, were dismissed and warrants of possession were issued, despite the pendency of an appeal. The petitioner further seeks stay of the further proceedings in the aforesaid execution

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petition, which is pending before the learned Civil Judge (Senior Division), Gurdaspur, for 22.07.2026, during the pendency of the present petition, in the interest of justice and fair play.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was the defendant in the civil suit filed by the respondent/owner-plaintiff. The said civil suit was decreed on 20.05.2025. The petitioner/JD has filed an appeal, which is pending before the learned Additional District Judge, Gurdaspur, and is fixed for 02.07.2026.

3. In the meantime, the respondent filed execution proceedings, wherein the Executing Court passed the impugned order dated 14.05.2026 (Annexure P-4) and issued warrants of possession for 29.05.2026. The petitioner immediately moved an application for early hearing of the appeal as well as for stay of the operation of the judgment and decree dated 20.05.2025, passed by the learned trial Court, before the learned Additional District Judge, Gurdaspur. The said application, as discernible from Annexure P-5, is pending for 02.07.2026.

4. Learned counsel for the petitioner submits that the appeal would be rendered infructuous in case the warrants of possession issued by the Executing Court are not stayed, thereby seriously prejudicing the petitioner's right to pursue the appeal. At this stage, learned counsel submits that the petitioner would be satisfied if the learned lower Appellate Court is

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directed to consider and decide the stay application filed by the petitioner on or before 02.07.2026, i.e. the date already fixed before the learned lower Appellate Court.

5. In view of the limited prayer made by learned counsel for the petitioner, the present petition is disposed of with a direction to the learned Additional District Judge, Gurdaspur, to consider and decide the petitioner's stay application (Annexure P-5), in accordance with law, preferably on 02.07.2026.

6. In the meantime, i.e. till 02.07.2026, no coercive steps shall be taken against the petitioner pursuant to the warrants of possession issued by the Executing Court.

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

(HARPREET SINGH BRAR)
JUDGE

25.06.2026

parul verma

Whether speaking/reasoned. :	Yes/No
Whether Reportable. :	Yes/No