



CR No.5470 of 2024

1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

121

Civil Revision No.5470 of 2024
Date of decision: April 2nd, 2026

Karamjit Singh

.....Petitioner

Versus

Pishora Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Aman Bansal and Ms. Anjali Bansal, Advocates
for the petitioner.

Mr. Sunny K. Singla, Advocate
for the respondent.

VIKAS BAHL, J. (ORAL)

1. This is a civil revision petition under Article 227 of the Constitution of India for setting aside the impugned order dated 13.08.2024, whereby the objections filed by the petitioner have been dismissed and warrants of attachment have been issued. In the alternate, a prayer has been made for directing the Additional District Judge, Sangrur, to expeditiously decide Civil Appeal No.CA/221/2023 titled as Karamjit Singh Versus Pishora Singh.

2. On 20.09.2024, the Bench of Hon'ble the Chief Justice was pleased to pass the following order:

*“Present: Mr. Aman Bansal, Advocate
for the petitioner.*

...

*Notice of motion for 24.10.2024, subject to
payment of process fee within 3 working days, failing which*



the petition shall stand dismissed without reference to the Court.

It is alleged by learned counsel for the petitioner that the petitioner, who was defendant in the suit, has suffered a decree for recovery. For the decretal amount of Rs. 2 lacs, he had filed an appeal registered as Civil Appeal No. CA/221/2023, which is pending since January, 2023 and has neither been taken up for final hearing nor for the application for stay.

It is contended that during pendency of the Civil Appeal, the Executing Court has issued warrants of attachment of property of the petitioner, which is fixed for tomorrow.

In view of the above, it is directed that the Executing Court is restrained from taking any coercive steps against the petitioner, subject to petitioner defendant furnishing a solvent security and surety in support thereof for the decretal amount or deposits the same with the trial Court, by tomorrow.

20.09.2024”

3. Learned counsel for the petitioner has submitted that the appeal against the judgment dated 05.12.2022 was filed by the petitioner in January 2023 and the same is listed for arguments on 26.05.2026. It is submitted that till the pendency of the said appeal, the interim order dated 20.09.2024 be continued.

4. Learned counsel for the respondent has submitted that in case the interim order is to be continued, then it be observed that the grant and continuance of the interim order should not be construed as an expression on the merits of the case and the First Appellate Court should be directed to decide the appeal independent of the same. It is further submitted that the



petitioner be directed to argue the appeal on the next date of hearing.

5. Learned counsel for the petitioner has submitted that he has no objection to the said course of action.

6. Keeping in view the abovesaid facts and circumstances and the fair stand taken by learned counsel for the petitioner as well as learned counsel for the respondent, the present petition is disposed of with the following observations/directions:

- (i) The counsel for the petitioner as well as the counsel for the respondent before the First Appellate Court would be ready to argue the appeal on 26.05.2026 or any other date on which the First Appellate Court directs them to argue the same. The First Appellate Court is requested to decide the appeal as expeditiously as possible preferably within a period of three months from 26.05.2026. The counsel would fully assist the First Appellate Court in the expeditious disposal of the case.
- (ii) The interim order dated 20.09.2024 would continue till the time the appeal is pending. The grant and continuance of the said interim order would not be construed as an expression on the merits of the case and the First Appellate Court would decide the case independently in accordance with law, after hearing the parties concerned.

April 2nd, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No