

CR-8165-2025

1

2026:PHHC:012880



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-8165-2025

Date of decision : 29.01.2026

Surekha Sehgal and another

... Petitioners

Versus

Neelam Rani @ Naresh Kumari and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Kshitij Sharma, Senior Advocate with
Ms.Gurpreet Kaur Bhatti, Advocate,
Mr.Abhishek Bhaskar, Advocate and
Mr.S.S. Gill, Advocate
for the petitioners.

Mr.Arshit Goel, Advocate
for respondents no.1 to 3.

Mr.Manuj Nagrath, Advocate
for respondent no.4.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for seeking direction to the court of the Additional District Judge, Jalandhar to decide the appeals both titled as “Surekha Sehgal and others vs. Neelam Rani and others”.

2. Respondents no.1 to 3 had filed a suit for partition for separate possession with respect to the properties in question. Vide judgment dated

25.04.2017, a preliminary decree was passed. No appeal against the said



preliminary decree was filed. The final decree was passed on 02.02.2023. In the execution proceedings, two orders dated 20.03.2024 (Annexure P-3) and 06.02.2025 (Annexure P-4) were passed by which the petitioners were aggrieved. The petitioners had thereafter, filed two appeals against the said two orders and along with both the appeals, application for condonation of delay as well as application for stay were filed. The appeal against the order dated 20.03.2024 was filed on 13.05.2024 on which date notice was issued and notice in the application for condonation of delay was issued and in the said case, reply has also been filed and the same is now stated to be pending for arguments on the application for condonation of delay as well as stay application for 20.03.2026. The second appeal against the order dated 06.02.2025 was filed on 07.04.2025 on which date notice of motion was issued in the appeal as well as application for condonation of delay and the reply to the application for condonation of delay has already been filed and service is also complete in the said case and the same is stated to be pending for 25.02.2026 for consideration on the application for condonation of delay as well as stay application. In view of the fact that the applications for condonation of delay / stay application / appeals were pending when the respondents had filed execution, thus, the petitioners filed the present revision petition, in which, at the time of issuance of notice of motion an interim order was passed to the effect that “in the meanwhile dispossession of the petitioners shall remain stayed”.

3. During the course of hearing, a very fair stand has been taken



by the learned senior counsel for the petitioners as well as learned counsel for respondents no.1 to 3 and respondent no.4 and in view of the same and also on the basis of consensus, the present revision petition is disposed of with the following directions/ observations:-

- i) It has been stated on behalf of the petitioners as well as respondents no.1 to 4, that the counsel appearing before the Ist Appellate Court would be ready to argue the applications for condonation of delay / stay applications as well as the main appeals on 25.02.2026 and on 20.03.2026 which are the respective dates fixed in both the appeals.
- ii) It is further stated that the counsel would also be ready to argue the applications for condonation of delay / stay applications / main appeals on any other date which the Ist Appellate Court would fix subject to its convenience.
- iii) The Ist Appellate Court, before whom both the appeals are pending, is requested to decide the application for condonation of delay / stay application arising from the order dated 20.03.2024 within a period of one month from 20.03.2026. The Ist Appellate Court is also requested to decide the stay application / application for condonation of delay arising out of order dated 06.02.2025 within a period of one month from 25.02.2026.
- iv) Till the time, the applications for condonation of delay /



stay applications are decided, the interim order to the effect that “in the meanwhile dispossession of the petitioners shall remain stayed” would continue. The grant of as well as continuance of the said interim order should not be construed as an expression on the merits of the case and the Ist Appellate Court would decide the delay applications / stay applications as well as the appeals independent of the same.

v) The Ist Appellate Court(s) is also requested to decide both the appeals as expeditiously as possible preferably within a period of three months from the next date of hearing i.e., 25.02.2026 and 20.03.2026 respectively.

4. It is made clear that this Court has not opined on the merits of the case and it would be open to both the parties to raise all pleas, in accordance with law.

(VIKAS BAHL)
JUDGE

January 29, 2026.
Davinder Kumar

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