



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

(114)

CR-5228-2025Date of Decision:-**06.08.2025**

SUKHDEV KUMAR

... Petitioner(s)

Versus

VIJAY KUMAR BHATIA

... Respondent(s)

-.-

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWALPresent:- Mr. A.P.S. Sandhu, Advocate
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. This revision petition has been filed against the order dated 29.07.2025 (Annexure P-12) passed in RA-48-2023 titled as Sukhdev Kumar vs. Vijay Kumar Bhatia whereby the application filed by the revisionist for preponment of the rent appeal and for deciding the stay application was dismissed vide impugned order dated 29.07.2025.

2. The application was filed before the Appellate Authority as execution proceedings were pending for 27.08.2025 and the warrant of possession has been issued by the Executing Court. The learned Appellate Court dismissed the application by observing that 'action plan' cases are already fixed on early dates and heavy number of cases are already fixed on early dates. This is not a ground to decline the application for preponment of urgent application as in case, warrant of possession gets executed, then the appeal of the appellant would be rendered infructuous.



3. In the light of the above, impugned order is set aside and the learned Appellate Authority is directed to decide the stay application preferably within 10 days from today.

4. The aforesaid petition is disposed of accordingly.

5. However, observations made herein above may not to be construed as opinion on the merits of the case. Same are purely confined to the present controversy and deliberations.

06.08.2025

Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No