



CR-5001-2025 (O&M)

126

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

CR-5001-2025 (O&M)
Date of decision : 06.08.2025

Harjiwan Singh

...Petitioner

Versus

Lakhwinder Singh and others

...Respondents

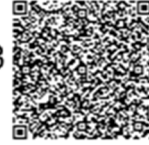
CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Dr. Anmol Rattan Sidhu, Senior Advocate,
with Mr. Shiv Kumar Sharma, Advocate,
for the petitioner.

HARPREET KAUR JEEWAN, J. (Oral)

1. Present revision petition under Article 227 of the Constitution of India has been filed for setting aside the order dated 23.05.2025 (Annexure P-5), passed by learned Additional Civil Judge (Senior Division), Dabwali, whereby objections filed by the petitioner-defendant to the execution petition have been dismissed.

2. Learned Senior counsel contends that the petitioner-defendant has already challenged the judgment and decree passed by the Civil Judge by way of filing First Regular Appeal, which was listed for 17.07.2025. Along with the appeal, the petitioner has also filed an application seeking interim stay, however, the said application has not been decided by the Appellate Court. The petitioner/judgment debtor requested the Executing Court to stay the proceedings till the decision in the appeal. However, the objection petition filed by the petitioner was also dismissed by the Civil Judge by passing the impugned order



CR-5001-2025 (O&M)

dated 23.05.2025. It is contended that in case, the decree is executed, the statutory right of the petitioner to first appeal will be jeopardized.

3. Keeping in view the facts and circumstances of this case, issuance of notice to the respondents is dispensed with, as it would cause further delay in the matter.

4. In view of the peculiar facts and circumstances, the present petition is disposed of with a direction to the First Appellate Court- Additional District Judge, Sirsa to decide the application for interim stay pending appeal filed in CA-310-2023 titled as Gurdeep Singh & others Vs. Lakhwinder Singh & others on the next date of hearing, i.e. 17.11.2025. Till then, the Executing Court shall adjourn the matter beyond the date fixed by the First Appellate Court, i.e. 17.11.2025.

5. Disposed of accordingly.

6. However, liberty is granted to the respondents to file an application for recalling of this order, if so advised, since the order is being passed in their absence.

7. Pending miscellaneous applications, if any, shall stand disposed of.

06.08.2025

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :
Whether Reportable :

| | |
|-----|----|
| Yes | No |
| Yes | No |