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

CR-2970-2025

Date of decision: 15.05.2025

Devender Kumar Goyal

...Petitioner

Versus

Rakesh Kumar Jain

...Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Akshay Kumar Jindal, Advocate for the petitioner.

Mr. Tanmoy Gupta, Advocate for the respondent.

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**VIKAS BAHL, J. (ORAL)**

1. This is a revision petition filed under Article 227 of the Constitution of India for issuance of appropriate directions to the Appellate Authority/District Judge, Nuh, in Appeal bearing No.CA-73-2025 to expeditiously hear and decide the application filed by the petitioner for early hearing (Annexure P-8).

2. Learned counsel for the petitioner has submitted that in the present case, against the judgment and decree dated 22.01.2025, an appeal was filed by the petitioner on 18.02.2025 i.e., within the period of limitation and in the said appeal, on 18.02.2025, notice was issued and record of the trial Court was requisitioned for 28.04.2025. It is submitted that on 28.04.2025, the respondent appeared and the case was adjourned to



25.07.2025 for arguments. It is argued that in the meantime, vide order dated 01.05.2025, warrants of possession have been issued for 19.05.2025 and that in case the said warrants of possession are executed without the appeal being adjudicated, then, the petitioner would suffer great prejudice. It is prayed that the First Appellate Court be directed to decide the stay application/appeal as expeditiously as possible and till the time the said decision is not taken, the execution proceedings be kept in abeyance.

3. Learned counsel for the respondent, on the other hand, has submitted that the respondent would be prepared to argue the appeal even on 20.05.2025 and has further submitted that in case the record of the Rent Controller has not been received, then, they would move an application within a period of two days from today for summoning the same for 20.05.2025.

4. During the course of arguments, a consensus has been arrived at between learned counsel for the petitioner as well as learned counsel for the respondent and in view of the said consensus, the present revision petition is disposed of with the following directions/observations:-

- i) Respondent would move an application within a period of two days from today to summon the record of the Rent Controller in case the same has already not been received by the First Appellate Court for 20.05.2025.
- ii) Learned counsel for the petitioner as well as learned counsel for the respondent have undertaken that they would be prepared to argue the main appeal itself on 20.05.2025 or on any date immediately thereafter and also on any other date given by the First Appellate



Court and none of the parties would seek an adjournment.

- iii) The First Appellate Court is directed to decide the first appeal on or before 15.07.2025.
- iv) Till the time the said appeal is not decided, the execution proceedings would be kept in abeyance and would proceed further in accordance with the order passed by the First Appellate Court.

5. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

**15.05.2025**

*Pawan*

**(VIKAS BAHL)  
JUDGE**

**Whether speaking/reasoned:- Yes/No**

**Whether reportable:- Yes/No**