



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

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**CR No.759-2025**

**Date of decision: 05.02.2025**

Jugal Kishore and Ors.

.....Petitioners

*Versus*

Harjit Singh Kanwar

.....Respondent

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

Present: Mr. Manish Prabhaker, Advocate  
for the petitioners.

**VIKAS BAHL, J (ORAL)**

1. This revision petition has been filed under Article 227 of the Constitution of India challenging the order dated 11.01.2024 (Annexure P-1) passed by the Addl. District Judge, Amritsar whereby the appeal filed against order the dated 20.09.2019 (Annexure P-2) passed by the Civil Judge (Jr. Division), Amritsar allowing application filed under Order 39 Rules 1 & 2 CPC by the respondents, was dismissed.

2. Learned counsel for the petitioners has submitted that the present suit was filed in the year 2019. He limits his prayer to the extent that the present petition may be disposed of with a direction to the trial Court to dispose of the case expeditiously. It is further prayed that since the impugned order has been passed under Order 39 Rules 1 & 2 CPC, direction may be issued to the trial Court to decide the matter without taking into consideration any of the observations made in the impugned order.

3. It is a matter of settled law that the observations made in the order deciding the application under Order 39 Rules 1 & 2 CPC is made only for the purpose of deciding the said application and the trial Court is required to decide the main suit independently.

4. Keeping in view the abovesaid facts and circumstances and considering the fact that the suit pertains to the year 2019, present petition is disposed of with a request to the trial Court to decide the main suit as expeditiously as possible. Learned counsels appearing for the parties concerned

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are also requested to fully assist the trial Court in expeditious disposal of the case. Needless to say that the trial Court shall decide the suit independent of the observations made in the impugned order on the basis of evidence and documents produced on record, in accordance with law.

**(VIKAS BAHL)**  
**JUDGE**

**05.02.2025****manoj****Whether speaking/reasoned: Yes/No****Whether Reportable: Yes/No**