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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(320)

CR-4115-2023 (O&M)

Date of Decision: - 24.09.2025

Shiv Kumar and another

....Petitioners

Versus

Shri Tara Devi Temple and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. G.S. Dhillon, Advocate
for the petitioners.

Mr. Mohammad Arshad, Advocate, and
Mr. Karan Kumar Sachdeva, Advocate
for respondents No.1 to 3.

Mr. Ajay Kumar Kansal, Advocate, and
Ms. Garima Kansal, Advocate,
for the applicant/respondents No.4-A and 4-B.

VIKAS BAHL, J. (ORAL)

CM-20717-CII-2023

1. This is an application under Order 1 Rule 10 read with Section 151 CPC for impleadment of applicants as respondents No.4-A and 4-B in the present revision petition.

2. Learned counsel appearing for the applicants has submitted that it is the present applicants who had filed an application under Order 9 Rule 13 CPC and on whose application the impugned order had been



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passed, but the petitioners have not impleaded the applicants as parties.

3. Keeping in view of the above-said facts and circumstances and also the averments made in the application, which is supported by an affidavit, the same is allowed and the applicants are ordered to be impleaded as respondents No.4-A and 4-B in the present revision petition. The amended memo of parties is taken on record.

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1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 24.05.2023 (Annexure P-8) passed by the Additional District Judge, Jind.

2. Learned counsel appearing for respondents No.1 to 3 as well as learned counsel for respondents No.4-A and 4-B have submitted that in the present case, the general public was made a party and the respondent Nos.4-A and 4-B had moved an application under Order 9 Rule 13 CPC for setting aside the ex parte judgment and decree dated 21.09.2022 corrected vide order dated 12.10.2022 and another application for condonation of delay in filing the application under Order 9 Rule 13 CPC as well as the application for staying the operation of the said judgment and decree till the time the said application under Order 9 Rule 13 CPC was decided, was filed. It is further submitted that the said applications are now pending for 06.10.2025 and the respondents have submitted that instead of deciding the present revision petition, the trial Court be requested to decide all the said three applications in a time bound manner. It is submitted that counsel for the respondents would be ready to argue



the said three applications on 06.10.2025 as well as on the date which the trial Court would direct them to argue. It is stated that the interim order dated 24.05.2023 be continued till the said date.

3. Learned counsel for the petitioners has submitted that the petitioners would also be ready to argue the said three applications on 06.10.2025 or any other date which the trial Court directs them to argue. It is further submitted that the observations made in the order dated 24.05.2023 should not be construed as an expression on the merits of the case and the trial Court should decide the said three applications independently, in accordance with law, after hearing all the parties concerned.

4. Keeping in view the above-said facts and circumstances and the fair stand taken on behalf of learned counsel for the petitioners as well as learned counsel for the respondents, the present revision petition is disposed of with the direction to the trial Court to decide all the three applications i.e., application under Order 9 Rule 13 CPC (Annexure P-3), application for condonation of delay (Annexure P-4) as well as the application for stay (Annexure P-5) which have been filed in the year 2023, as expeditiously as possible, preferably, within a period of six weeks from 06.10.2025.

5. As undertaken before this Court, all the counsel are requested to assist the trial Court in the expeditious disposal of the said three applications.

6. It is made clear that the trial Court would decide the said



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three applications de hors the observations made in the order dated 24.05.2023, independently, in accordance with law and after hearing all the parties concerned.

7. Pending application(s), if any, stand disposed of in view of the above-said order.

September 24, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No