

2025:PHHC:034478



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

206-A

CR-1173-2022 (O&M)

Date of Decision : 11.03.2025

CHAMAN LAL

... Petitioner

VERSUS

RATTAN DHARA CHARITABLE RELIGIOUS TRUST

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Dr. Rishi Pal Singh, Advocate for the petitioner.

Mr. Rajinder Goel, Advocate for the respondent.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India challenging the order dated 16.09.2017 (Annexure P-1) passed by the learned Civil Judge (Senior Division), Kurukshetra whereby the Executing Court has stayed the execution proceedings till the decision of the application filed under Order 9 Rule 13 CPC.

2. The proceedings in the application under Order 9 Rule 13 CPC was dealt with and the evidence of the petitioner was closed by order which has been challenged in a revision petition being CR-245-2023. The petitioner in the said revision petition, in the proceedings under Order 9 Rule 13 CPC, had availed 15 effective opportunities and despite that had not led his evidence and hence his evidence was closed by order. The said revision petition has been disposed off vide order of the even date and the petitioner has been

granted one opportunity to tender the documents on the next date fixed before the Trial Court.

3. Since an application under Order 9 Rule 13 CPC is pending, this Court does not deem it appropriate to interfere in the impugned order dated 16.09.2017. However, keeping in view the mandate of law and as per the law laid down by the Hon'ble Supreme Court in the case of **Periyammal (dead) through LRs & Ors. V/s V. Rajamani & Anr. [2025 SCC Online (SC) 507]** that all execution petitions are to be decided within a period of six months, the Executing Court is requested to expedite the hearing of the execution petition pending before it and to decide the same within a period of six months after the decision on the application under Order 9 Rule 13 CPC. The Executing Court is further requested not grant any unnecessary adjournments to either of the parties.

4. The present revision petition stands disposed off in the above terms. Pending applications, if any, also stand disposed off.

11.03.2025
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No