



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

CM-9315-CII-2025 in/and  
CR-5545-2024  
Date of decision: 13.05.2025

Maingal Singh @ Mangal Singh ...Petitioner

Versus

Paramjit Singh and others ...Respondents

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

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner.

Mr. Balraj Gujjar, Advocate for  
Ms. Shweta Bawa, Advocate for respondent Nos.1 and 2.

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

**CM-9315-CII-2025**

1. This is an application under Section 151 CPC for staying the execution proceedings before the trial Court.
2. Learned counsel for the applicant-petitioner as well as learned counsel for respondent Nos.1 and 2, who are the decree holders, have jointly submitted that instead of deciding the present application, the main case itself be preponed and decided.
3. Accordingly, the present application is disposed of while preponing the main case which is fixed for 11.08.2025 to today itself.

**CR-5545-2024**

1. This is a civil revision under Article 227 of the Constitution of India, for setting aside the impugned order dated 06.08.2024 (Annexure P-1) passed by the Additional District Judge, Bathinda whereby the



application for restoration of appeal, which was dismissed on 09.12.2021, due to non appearance of the petitioner and his counsel, has been dismissed.

2. During the course of arguments, a consensus has been arrived at between the counsel for the petitioner as well as counsel for respondent Nos.1 and 2 and it has been jointly submitted that the petitioner would pay an amount of Rs.2,00,000/- as costs to respondents No.1 and 2 in equal proportions (i.e., Rs.1,00,000/- each) within a period of 10 days from today and on his doing so, the appeal filed by the petitioner against the judgment and decree dated 03.12.2019 be heard on merits.

3. Keeping in view the above said facts and circumstances, the present revision petition is disposed of with the following observations/directions:-

- i) The petitioner would deposit an amount of Rs.2,00,000/- within a period of 10 days from today before the Executing Court which the Executing Court would release to respondents No.1 and 2 in equal proportion and the same would be treated as costs in favour of respondents No.1 & 2 and would not be liable to be returned.
- ii) On the petitioner doing so, the impugned order dated 06.08.2024 would be set aside and the First Appellate Court would thereafter, decide the appeal against the judgment and decree dated 03.12.2019 on merits as expeditiously as possible, preferably within a period of 2 months from the date the parties first appear before the First Appellate Court. The counsel for the petitioner and counsel for the respondents have undertaken to fully assist the First Appellate Court in expeditious disposal of the appeal in case condition No.1 is complied



with.

- iii) This Court has not opined on the merits of the appeal and the appeal, in case condition no.1 is complied, would be decided by the First Appellate Court independently, in accordance with law.
- iv) In case, the amount of Rs.2,00,000/- is deposited and in case condition no.1 is complied with, then, till the time the appeal is not decided by the First Appellate Court, the proceedings in execution would be kept in abeyance.

**13.05.2025**

*Yogesh*

**(VIKAS BAHL)  
JUDGE**

**Whether speaking/reasoned:-  
Whether reportable:-**

**Yes/No  
Yes/No**