

**CR No. 5785 of 2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****126****CR No. 5785 of 2025****DATE OF DECISION :- 26.08.2025****Surjit Singh****...Petitioner****Versus****Parminder Kaur and another****...Respondents****CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL****Present:-** Mr. Divyam Singh Dhakla, Advocate for the petitioner.**\*\*\*****VIRINDER AGGARWAL, J. (Oral)**

1. This petition under Article 227 of the Constitution of India has been filed for staying the operation and effect of the judgment and decree dated 20.08.2022 which is subject matter of appeal before the First Appellate Court and petitioner is pleading that Executing Court is proceeding with the execution of the decree and his application for stay of impugned judgment and decree is pending before the First Appellate Court but that has not been decided and the matter is being adjourned from time to time; now warrants of possession has been issued for 25.08.2025. Learned counsel for the petitioner has submitted that he has taken two days time for getting the order from this Court and in case he is not protected then his appeal before the First Appellate Court would become infructuous.

2. Now considering the fact that the application under Order 41 Rule 5 of CPC filed by the petitioner is pending adjudication before the First Appellate Court and the First Appellate Court has not decided that application and there is immediate threat of dispossession to the petitioner,



**CR No. 5785 of 2025**

**2**

so in the interest of justice, operation of the impugned judgment and decree is stayed only for three days in order to afford an opportunity to the petitioner to approach the First Appellate Court for decision of his application.

3. In view of the above, the present revision petition is disposed of.

**(VIRINDER AGGARWAL)  
JUDGE**

**26.08.2025**

*P.Singh*

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No