



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

**CR-6851-2025
DECIDED ON: 25.09.2025**

SUKHBIR KAUR

.....PETITIONER

VERSUS

HARBHAJAN SINGH

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Suresh Kumar Arya, Advocate
for the petitioner.

MANDEEP PANNU, J (ORAL)

1. The present revision petition under Article 227 of the Constitution of India has been filed for setting aside the order dated 06.09.2025 and order dated 20.03.2024 passed by the learned Executing Court, Amritsar, in the execution petition, whereby the objections filed by the petitioner/JD were dismissed and warrants of possession of the demised property were ordered to be issued, there being no stay order from any Court.

2. Learned counsel for the petitioner submits that the respondent/landlord instituted a rent petition seeking ejectment of the petitioner, which was allowed by the learned Rent Controller vide order dated 20.11.2023. Against the said order, the petitioner/tenant has preferred an appeal before the learned Appellate Authority, which is pending adjudication. In the said appeal, an application for stay of the impugned ejectment order has also been filed and is also pending consideration.

3. In the meantime, in the execution proceedings pending before the learned Civil Judge (Junior Division), Amritsar, warrants of possession have been issued in respect of the demised premises, despite it being brought to the notice of the Executing Court that a stay application is pending before the learned Appellate Authority.

4. Considering the limited nature of the prayer made, notice to the respondent is dispensed with.

5. Perusal of the record reveals that an order of ejection has indeed been passed against the petitioner/tenant. It is also evident that the appeal against the said order has been filed before the Appellate Authority, wherein a stay application is pending.

6. The limited prayer made in this revision petition is for issuing appropriate directions to the learned Appellate Authority, Amritsar, to decide the stay application or the main appeal expeditiously, as the next date before the Executing Court is 30.09.2025.

7. Learned counsel for the petitioner has relied upon the judgment of the Hon'ble Supreme Court in "***Mool Chand Yadav and another v. Raza Buland Sugar Company Ltd., Rampur and others***", (1982) 3 SCC 484, wherein it has been held that during the pendency of an appeal, the operation of an order having serious civil consequences ought to be suspended.

8. In the present case, since the execution petition is for issuance of warrants of possession of the demised premises and the next date before the executing court is 30.09.2025, this Court is of the considered view that the interests of justice would be met if the Appellate Authority is directed to decide the stay application expeditiously.

9. Accordingly, the learned Appellate Authority/Additional District Judge, Amritsar, is directed to consider and decide the application for staying the execution and operation of the ejectment order on the date already fixed, i.e. 04.11.2025. Till then, further proceedings in the execution petition and issuance of warrants of possession shall remain stayed.

10. With these observations and directions, the present revision petition stands disposed of.

11. Ordered accordingly.

12. All pending miscellaneous application(s), if any, stands disposed of.

25.09.2025

Poonam Negi

**(MANDEEP PANNU)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No