



CR 5168-2025 (O&M)

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

CR 5168-2025 (O&M)

Date of decision:13.10.2025

Manohari Devi and another

..Petitioners

Versus

Pawan Kumar and others

..Respondents

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. B.S.Mittal, Advocate for the petitioners

Mr. Ajay Kamboj, Advocate and
Mr. Amandeep Kamboj, Advocate
for respondents no.1 to 3

Mr. Kshitiz Goel, Advocate and
Mr. Krishan Kanhe, Advocate
for respondent no.11

MANDEEP PANNU, J.

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 01.07.2025 passed by the learned Civil Judge (Junior Division), Sirsa, whereby the learned trial Court directed the SDO (Civil), Sirsa to decide the application dated 30.11.2018 pending before the said authority relating to allotment proceedings, as expeditiously as possible.

2. It is the case of the petitioners that in a civil suit filed by respondent Nos. 1 to 3, the petitioners, who are arrayed as defendant Nos. 7 and 9, had moved an application under Order VII Rule 11 of the Code of Civil Procedure, 1908 (hereinafter referred to as 'CPC')



for rejection of the plaint. However, instead of deciding that application on merits, the learned trial Court issued directions to the SDO (Civil), Sirsa, to decide the said application pending before him, which according to the petitioners, is without jurisdiction, as the Civil Court cannot issue such directions to an independent administrative or quasi-judicial authority.

3. Learned counsel for the petitioners, therefore, prays that the impugned order dated 01.07.2025 be set aside to the extent it directs the SDO (Civil), Sirsa to decide any application pending before him, and further that the trial Court be directed to decide the petitioners' application under Order VII Rule 11 CPC in accordance with law.

4. Learned counsel for respondent Nos. 1, 2, 3 and 11, on the other hand, submits that the application under Order VII Rule 11 CPC has already been decided during the pendency of the present revision petition, and therefore, to that extent, the petition has become infructuous. He, however, fairly concedes that the Civil Judge had no authority to issue any direction to the SDO (Civil), Sirsa to decide the application pending before him. It is further submitted that the impugned order also records a rider that the order of status quo passed earlier by the Civil Judge vide order dated 19.01.2023 shall not in any way affect the adjudication of the application dated 30.11.2018 by the competent authority and that such order of status quo shall remain effective for all other purposes.



5. I have heard learned counsel for the parties and carefully gone through the record.

6. By way of the present revision, the petitioners have primarily challenged the order dated 01.07.2025, whereby the learned Civil Judge (Junior Division), Sirsa, instead of deciding the petitioners' application under Order VII Rule 11 CPC, issued directions to the SDO (Civil), Sirsa, to decide the application dated 30.11.2018 expeditiously. It is an admitted position between the parties that during the pendency of the present revision, the application under Order VII Rule 11 CPC has already been decided. Accordingly, the relief sought in the revision petition with respect to that issue no longer survives and stands disposed of as having become infructuous.

7. However, as regards the second limb of the impugned order whereby the trial Court issued directions to the SDO (Civil), Sirsa, to decide the application pending before him, it deserves to be noted that no such directions can be issued by a Civil Court to an independent authority, as the same falls outside the scope of its jurisdiction. The Civil Court is required to confine its adjudication to the matters within its domain and cannot issue administrative or quasi-judicial directions to statutory authorities unless specifically empowered under law.

8. Therefore, the direction issued by the learned Civil Judge (Junior Division), Sirsa, in the impugned order dated 01.07.2025, calling upon the SDO (Civil), Sirsa, to decide the application pending



before him expeditiously, is unsustainable in law and is hereby set aside.

9. At the same time, this Court finds merit in the submission made on behalf of the respondents that the order of status quo dated 19.01.2023, passed by the trial Court, shall remain undisturbed by virtue of this order.

Conclusion

10. In view of the above discussion, the present revision petition stands partly allowed in the following terms:

i. The direction issued by the learned Civil Judge (Junior Division), Sirsa, in the impugned order dated 01.07.2025 to the SDO (Civil), Sirsa, to decide the application dated 30.11.2018, is set aside.

ii. The revision petition, to the extent it relates to the decision on the application under Order VII Rule 11 CPC, stands dismissed as infructuous, since the said application has already been decided.

iii. The order of status quo dated 19.01.2023 shall remain operative and shall not be disturbed by virtue of this order.

11. All the pending miscellaneous applications, if any, are also disposed of.

**(MANDEEP PANNU)
JUDGE**

13.10.2025

rekha

Whether speaking/reasoned Yes/No

Whether reportable Yes/No