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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(125)

CR-2097-2025

Date of decision: - 07.04.2025

Balwant Singh

...Petitioner

Versus

Balbir Singh

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Deepak Arora, Advocate,
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. Present civil revision petition has been filed under Article 227 of the Constitution of India for issuance of a direction to the Additional District Judge, Pathankot, to decide the application for condonation of delay pertaining to Civil Misc. No.281 of 2024, which is pending for 03.05.2025, as expeditiously as possible.

2. Learned counsel for the petitioner has submitted that in the present, the suit filed by the respondent for possession by way of specific performance was decreed on 05.07.2024. It is further submitted that against the same, the petitioner has filed a first statutory appeal and since there was a delay of three days in filing the said appeal, as the petitioner was 74 years of age and had fallen sick, thus, he had filed an application for condonation of delay of three days alongwith the said appeal. It is



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stated that on 12.08.2024, notice was issued in the said delay application and reply to the application of condonation of delay was filed on 27.03.2025 and the case is now fixed for 03.05.2025. It is submitted that in the meantime, the respondent has filed execution and thus, there is urgency in the matter. It is prayed that the 1st Appellate Court be requested to decide the application for condonation of delay, so that the application for stay can also be considered, in a time bound manner and as expeditiously as possible. It is submitted that the petitioner would file an affidavit as required by the order dated 27.03.2025 within a period of two weeks from today by moving an application before the 1st Appellate Court.

3. Keeping in view the above-said facts and circumstances and the limited prayer made by learned counsel for the petitioner, the present revision petition is disposed of with a request to the 1st Appellate Court to decide the application for condonation of delay pertaining to C.M. No.281 of 2024 as expeditiously as possible, preferably, within a period of one week from 03.05.2025.

4. As undertaken before this Court, the petitioner would file an affidavit in compliance to the order dated 27.03.2025 within a period of two weeks from today by moving a specific application before the 1st Appellate Court.

April 07, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No