



IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

\*\*\*

CR-3878-2025

Date of decision : 04.07.2025

Jagir Singh

... Petitioner

Versus

Daler Singh and others

... Respondents

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

Present: Mr.Sahil Soi, Advocate  
for the petitioner.

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

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India praying for direction to the Ist Appellate Court to decide the application under Order 41 Rule 5 CPC (Annexure P-3) at the earliest.
2. Learned counsel for the petitioner has submitted that in the present case, against the judgment and decree dated 31.07.2024, an appeal was filed by the petitioner along with the stay application (Annexure P-3) and in the said case on 11.09.2024, notice in the appeal as well as in stay application was issued and it was observed that there were arguable points in the same. It is submitted that since only respondent no.1 has not been served, thus, the stay application has not been considered by the Ist



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Appellate Court whereas on the other hand, vide order dated 31.05.2025, a Local Commissioner has been appointed to execute the sale deed on behalf of the judgment debtor. It is submitted that subsequently even warrants of possession have been issued in the present case. Learned counsel for the petitioner has submitted that he has moved an application for preponing the appeal and has prayed that the Ist Appellate Court be directed to decide the stay application in a time bound manner after service of respondent no.1.

3. Keeping in view the above said facts and circumstances and the limited prayer made by learned counsel for the petitioner, the present petition is disposed of with a request to Ist Appellate Court to decide the application for stay dated 11.09.2024 (Annexure P-3) filed by the petitioner after service of respondent no.1, as expeditiously as possible, preferably within a period of two weeks from the date of service of respondent no.1.

4. It is made clear that this Court has not opined on the merits of the case and the application for stay would be considered by the Ist Appellate Court, in accordance with law, after hearing all the parties concerned.

(VIKAS BAHL)  
JUDGE

**July 04, 2025.**

*Davinder Kumar*

Whether speaking / reasoned  
Whether reportable

Yes/No  
Yes/No