



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

CR-1411-2025

Date of Decision: 07.03.2025

Ohrien Global Immigration Consultancy and Another

....Petitioners

Versus

Ashok Kumar and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Sandeep Arora, Advocate for the petitioners.

VIKRAM AGGARWAL, J (ORAL).

The present revision petition is directed against the order dated 27.01.2025 passed by the Court of learned Additional District Judge, Jalandhar vide which the stay application filed by the respondents for stay of operation of judgment and decree dated 04.10.2019 (Annexure P-1) passed by the Court of learned Civil Judge (Senior Division), Jalandhar was allowed and the respondents were directed to furnish indemnity/bank guarantee/security.

2. The facts, as emanating from the revision petition, are that a suit for recovery of Rs.18,86,250/- alongwith future interest @ 12% per annum was filed by the petitioners-plaintiffs. The same was decreed vide judgment and decree dated 04.10.2019 (Annexure P-1) passed by the Court of learned Civil Judge (Senior Division), Jalandhar. Initially, no appeal was filed against the said judgment. However, subsequently, an appeal (Annexure P-3) was filed which was accompanied by an application for condonation of delay of 207 days in filing the same. The said application was allowed by the learned Additional District Judge, Jalandhar vide order dated 05.05.2023 (Annexure P-4). By way of the impugned order dated

27.01.2025, the stay application preferred by the respondents was allowed and the operation of the judgment and decree dated 04.10.2019 (Annexure P-1) was stayed on furnishing of indemnity bond/bank guarantee/surety bonds against immovable property for a sum of Rs.23,00,000/- within a period of one month. Aggrieved by the said order, the present revision petition has been preferred.

3. I have heard learned counsel for the petitioner.

4. Learned counsel for the petitioner submits that the suit was filed by the petitioner in the year 2013 for recovery of Rs.18,86,250/- and the same was decreed on 04.10.2019. Execution petition was filed by the petitioners and objections submitted by the respondents were dismissed. However, subsequently, the delay in filing the appeal was condoned by the Court of learned Additional District Judge, Jalandhar and by way of the impugned order, the operation of the judgment and decree has also been stayed. Learned counsel submits that even after 12 years of filing of the suit and almost 06 years from the passing of the judgment and decree in his favour, the petitioners have not been able to realize/recover the amount. Learned counsel submits that the appeal is now pending for the last 02 years and there appears to be no possibility of the same being decided in the near future. Learned counsel further submits that he would restrict his claim to the issuance of a direction to the Court concerned for expeditious decision of the appeal.

5. I have considered the submissions made by learned counsel for the petitioner.

6. There would be no necessity of issuing notice to the respondents, for, in view of the nature of the order that is proposed to be passed, no prejudice would be caused to them.

7. No doubt, the petitioner filed a suit as far back as in the year 2013 of the same was decreed on 04.10.2019 (Annexure P-1) by the Court of learned Civil Judge (Senior Division), Jalandhar. It is also true that execution proceedings were initiated by the petitioners and the objections filed by the respondents were also dismissed. Though initially, no appeal was filed by the respondents, they subsequently filed an appeal with an application for condonation of delay of 207 days in filing the same. The Court concerned allowed the said application and admitted the appeal for hearing. Admittedly, the appeal is now pending adjudication before the Court of learned Additional District Judge, Jalandhar. It cannot also be denied that the petitioners have been litigating and have been seeking to recover their amount for a long time. However, at the same time, equally important rights of the respondents are also involved. It is well-known that Courts are burdened with huge number of cases and to fix any schedule for disposal of an appeal would not be fair at this stage. However, keeping in view the interests of both sides, it is desirable that the appeal is heard and decided expeditiously.

In view of the above, the present revision petition is ***disposed of*** with a request to the Court of learned Additional District Judge, Jalandhar where the appeal bearing number ***CA-271-2023*** titled as '***Ashok Kumar Vs. Ohrien Global Immigration Consultancy Etc.***' is pending to expeditiously hear and decide the appeal keeping in view the peculiar facts and circumstances of the present case.

(VIKRAM AGGARWAL)
JUDGE

07.03.2025

Prince Chawla

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No