



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

CR-4876-2022 (O&M)

Date of decision : 05.05.2025

Joginder Singh

...Petitioner

Vs.

Parmeshwar Pandit

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Munish Puri, Advocate
for the petitioner.

Ms. Dolly, Advocate for
Ms. Rajni Kalia, Advocate
Ms. Deepshikha Arora, Advocate
Ms. Neelam Chawla, Advocate
for the respondents.

ANIL KSHETARPAL, J. (Oral)

1. On 31.10.2022, the following order was passed:

"Learned counsel for the petitioner inter alia contends that stay application filed at the instance of the petitioner before the first Appellate Court, in appeal impugning the judgment and decree dated 28.09.2021 passed by the learned Trial court, has been dismissed with an observation that no irreparable loss is going to be caused to the petitioner as his rights are protected under Section 144 CPC.

No doubt, the provision of Section 144 CPC are always there to help the parties as regards the benefit of restitution, however, the first Appellate Court was still required to adjudicate upon the interim stay application on its own merits.

Notice of motion for 13.12.2022.

Meanwhile, operation of the judgment dated 28.09.2021 passed by the learned Trial Court shall remain stayed."



2. Learned counsel representing the parties are *ad idem* that the interim order passed by this Court on 31.10.2022 will continue to operate till the disposal of the first appeal filed by the petitioner. However, they pray for direction to expedite the hearing of the appeal.

3. The first appeal filed by the petitioner is pending for the last 04 years. Hence, the First Appellate Court is directed to make sincere endeavors for expeditious disposal of the first appeal, preferably within a period of 06 months.

4. The revision petition is disposed of.

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

05.05.2025
neeraj

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No