

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

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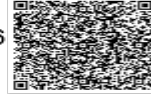
CR-3267-2025 (O&M)
Date of decision: 27.05.2025**Harbans Lal****...Petitioner(s)****Vs.****Ravel Singh and another****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. S.P. Soi, Advocate with
Mr. Sahil Soi, Advocate
for the petitioner.

*********NIDHI GUPTA, J.**

The present civil revision petition has been filed by the petitioner/defendant No.1, under Article 227 of the Constitution of India for quashing of the order dated 18.4.2025 (Annexure P-6) passed by learned Additional District and Sessions Judge VI, Jalandhar in case CA No. 305 of 2022 titled as "Harbans Lal Vs. Ravel Singh", whereby stay granted vide order dated 23.2.2023 (Annexure P-4) in favour of the petitioner has been vacated.

2. Learned counsel for the petitioner *inter alia* submits that stay granted by the learned first appellate Court vide order dated 23.02.2023 (Annexure P-4) has been vacated only due to one non-appearance on the part of the petitioner. Learned counsel submits that grave harm, loss and injustice shall be caused to the petitioner if the said stay granted in favour of the petitioner, is not restored. It is accordingly prayed that the



present civil revision petition be allowed; and order dated 18.04.2025 (Annexure P-6) be quashed.

3. No other argument is made by counsel for the petitioner.

4. Heard learned counsel and perused the case file in great detail.

5. Brief facts of the case are that the respondent/plaintiff had filed a suit for possession by way of specific performance of Agreement to Sell dated 16.05.2013. The said suit was decreed vide judgment and decree dated 29.10.2022 (Annexure P-1). The petitioner had preferred an appeal dated 01.12.2022 (Annexure P-2) against the above said judgment and decree dated 29.10.2022. Along with the appeal, the petitioner had filed an application (Annexure p-3) for stay of operation of impugned judgment and decree dated 29.10.2022. Vide order dated 23.02.2023 (Annexure P-4), interim stay was granted in favour of the petitioner and operation of the impugned judgment dated 29.10.2022 was stayed.

6. Perusal of the zimni order dated 03.04.2023 shows that it is incorrect for the petitioner to submit that only one adjournment was sought by the petitioner. In fact, zimni orders from 11.04.2023 uptill 07.03.2025 indicate that matter has been adjourned repeatedly at request of learned counsel for the parties. Even on 18.4.2025, yet another adjournment was sought on behalf of the petitioner. It is in this factual conspectus that the learned lower appellate Court vide



impugned order dated 18.04.2025 has vacated the stay order dated 23.02.2023. The impugned order dated 18.04.2025 reads as follows: -

“Counsel for appellant has requested for an adjournment. Perusal of record shows that the learned predecessor of this court granted interim stay vide order dated 23.02.2023, but after that arguments have not been advanced. Now, file be put up for arguments for 30.08.2025. Stay granted vide order dated 23.02.2023 is vacated.”

7. Needless to say, petitioner has been enjoying ex parte stay since 23.02.2023; whereafter, he did not argue the matter. The appeal remained pending for arguments and was getting adjourned for one reason or another but primarily on request for adjournment made by learned counsel. Thus, stay granted vide order dated 23.02.2023 was vacated by the impugned order dated 18.04.2025 (Annexure P-6).

8. It is the bounden duty of every litigant to pursue his case diligently; and it is also the bounden duty of the Court to ensure that justice inures to both parties concerned. With passage of time, rights of the parties get crystallised. It is the beholden obligation of not just the Courts but also the learned counsel to pursue the matter conscientiously. However, the above facts evidence that the matter has been pursued with utmost casualness. It is also to be appreciated that very valuable public time of the Court is expended in affording multiple opportunities in the interest of justice. However, the same cannot be misused to endlessly drag the matter to the unfair advantage or



disadvantage of either party. In view of the above facts, no ground is made out to interfere in the impugned order dated 18.04.2025 (Annexure P-6).

9. The present civil revision petition, accordingly, stands **dismissed**.

10. Pending application(s) if any also stand(s) disposed of.

27.05.2025

Divyanshi

**(NIDHI GUPTA)
JUDGE**

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