



139

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

**CR-7363-2025 (O&M)
Date of decision: 15.10.2025**

SUKHPAL KAUR AND ANR**..Petitioners**

Versus

SUKHDEV SINGH AND ORS**..Respondents****CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. N.P.S. Mann, Advocate
Mr. Mohit Kumar, Advocate
for the petitioners.

SUDEEPTI SHARMA, J. (Oral)

1. The prayer in the present petition is for issuance of direction to learned District Judge, Barnala to decide the application dated 10.12.2024 filed by the petitioner under Order XLI Rule 5 of the Code of Civil Procedure, 1908 (in short CPC) for grant of stay of operation of impugned judgment and decree dated 11.11.2024 passed by learned Civil Judge (Senior Division), Barnala, since the petitioners have challenged the same by way of filing Civil Appeal No.164 of 2024, titled as Sukhpal Kaur and others Vs. Sukhdev Singh and others.

2. Learned counsel for the petitioners contends that the appeal against judgment and decree dated 11.11.2024 was filed by the petitioners along with stay application and since December, 2024, the stay application filed by the petitioners is not decided and respondent No.1-decree holder has filed execution application, wherein, warrants of possession have been issued against the petitioners, he therefore prays that the direction be issued



to learned District Judge, Barnala to decide the stay application expeditiously.

3. He further contends that the date fixed before learned District Judge, Barnala in stay application is 17.10.2025 and prays that direction be issued to learned District Judge, Barnala to decide the stay application filed by the petitioner on 17.10.2025 itself.

4. I have heard learned counsel for the petitioners and have gone through the file of this case with his able assistance.

5. A perusal of the file shows that respondent No.1-decree holder has moved an application for execution of judgment and decree dated 11.11.2024, wherein, warrants of possession with the help of police have been issued against the petitioners for 17.10.2025. The petitioners have filed the appeal as well as application for staying the operation of judgment and decree dated 11.11.2024, which is not decided till date and if the decree would be executed in execution proceedings, the appeal filed by the petitioners would be rendered infructuous.

6. In view of the above, the present revision petition is allowed.

7. Learned District Judge, Barnala is directed to decide the stay application filed by the petitioner on the next date of hearing i.e. 17.10.2025 itself.

8. Pending miscellaneous applications, if any, are also disposed of.

October 15th, 2025

Ayub

**(SUDEEPTI SHARMA)
JUDGE**

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