
(2009) 04 P&H CK 0076
In the Punjab And Haryana At Chandigarh

Harkaran Singh Nehal and Others

APPELLANT

Vs

Sumeeta Sandhu and Others

RESPONDENT

Date of Decision : 20-04-2009

Acts Referred:

Constitution of India, 1950 — Article 227

Citation : (2009) 04 P&H CK 0076

Hon'ble Judges : Mahesh Grover, J

Bench : Single Bench

Judgement

Mahesh Grover, J.—This is a revision petition under Article 227 of the Constitution of India for issuance of appropriate directions to respondent No. 5 to decide the suits expeditiously and within a time-bound manner.

2. A perusal of the record reveals that there are three suits pending inter se between the parties, i.e., Civil Suit Nos. 346/T of 23.11.1992, 434/T of 23.11.1992 and 426/T of 14.9.1994. It is apparent that the suits are pending since fairly long time. In a revision petition bearing No. 585 of 1995, this Court had passed order dated 16.3.1998 (Annexure P1) and consolidated two of these suits and suit No. 275/T of 23.11.1992, which was also pending inter se between the parties, with suit No. 434/T of 23.11.1992, which was treated main suit.

3. It is brought to my notice that despite the fact that the suits are pending for the more than ten years, the same have not been concluded so far. Some of the zimni orders have also been produced on record which show that the parties are contributing in equal measures to the delay. Therefore, it cannot be said that the suits have lingered on merely because of some reason which is attributable to the trial Court alone.

4. In any eventuality, simply having regard to the fact that the suits are pending for the last more than ten years, I am of the opinion that this petition deserves to be disposed of with the following direction:

The trial Court shall make all endeavours to conclude all these suits positively

within a period of six months from today. No adjournment shall be granted under any circumstance to either of the parties, who shall be given only two opportunities each to conclude their respective evidence. One opportunity shall be granted to lead evidence in rebuttal. Efforts shall also be made to conclude the trial of the suits almost on day to-day basis. It is also made clear that in the event of any failure of any of the parties to adhere to the schedule or the dates given in the suits, the trial Court shall be at liberty to pass an adverse order against such party by assigning valid reasons. All the miscellaneous applications which are pending as on date shall be positively concluded within a fortnight on receipt of a copy of this order.

5. Ordered accordingly.