

Present: Mr. Ranbir Kaushal Adv counsel for applicant

1. This is an application seeking early hearing. It is submitted that the main CMA is presently fixed for 16.03.2026 for service of the respondents. It is argued that such a long date is totally unwarranted, particularly when the respondents have already filed caveat through their counsel Shri Munish Parashar, Advocate, and are thus fully aware of the pendency of the proceedings. It is submitted that filing of caveat merely ensures the right of hearing, but it does not justify fixing an unduly long date. It is further submitted that if the matter is not preponed, the rights of the applicant may be prejudiced.

2. The original file was called for perusal. From the record, it transpires that the civil misc appeal was received for first hearing on the last working day before the winter vacation and notice was issued for 09.01.2026. On 09.01.2026, without specifically noticing that caveat had already been filed, notice was issued for a long date, i.e. 16.03.2026. Ordinarily, cases are not preponed in view of heavy pendency and the fact that the opposite party may have already noted the date of hearing. However, the present case stands on a different footing. The respondents are yet to be formally served. The contention

of the applicant that caveat has already been filed is found to be correct. The file further shows that the caveat has been filed only by respondent Shyam Sundar, whereas the same counsel is appearing for the other respondents as well. In these circumstances, the case warrants preponement.

3. Accordingly, the instant application CM No. 40 of 2026 is allowed. The main case, earlier fixed for 16.03.2026, is postponed to 10.02.2026.

4. Notice to learned counsel for the respondents, Shri Munish Parashar, Advocate, be issued for 10.02.2026. A copy of this order be placed in the main file CMA No. 120 of 2025. The Reader is directed to prepone the date of hearing in the main file accordingly and issue notice to Shri Munish Parashar, Advocate, for 10.02.2026.

Ordered accordingly.

Date of Order: 31.01.2026
*Rahul Sharma Steno-II**

(Shatin Goyal)
Additional District and Sessions Judge,
Amritsar
UID No . PB00157