

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.1011 of 2015.
Decided on:-13.2.2015.

Harbans Lal.Petitioner.
Versus

Hans Raj.Respondent.

CORAM: HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON.

Present:- Mr. Saurav Khurana, Advocate for the petitioner.

Dr. Bharat Bhushan Parsoon, J (Oral)

Counsel for the petitioner referring to impugned order dated 23.7.2014 urges that just for non-appearance on one date, the judgment-debtor, petitioner herein, was proceeded against ex-parte which order prejudices him highly as his objection petition under Order XXI Rule 90 CPC is pending adjudication and the same has not even been adjudicated whereas warrant of possession in execution of the decree are being issued at his back.

Counsel for the petitioner states that the petitioner would make an application for setting aside the ex-parte order under the relevant provisions of CPC before the court below within a week.

If such an application is moved, the same would be decided within next week. It is also made clear that if the application under Order XXI Rule 90 CPC is pending, the same would also be adjudicated in the meanwhile and warrant of possession in the execution petition would remain stayed in the meanwhile.

Disposed of in these terms.

(Dr. Bharat Bhushan Parsoon)
Judge

February 13, 2015
'Yag Dutt'