

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CR No.218 of 2015

Date of Decision:-12.01.2015

Seema Singh.

.....Petitioner.

Versus

Natha Singh.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. B.S. Aulakh, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Decree holder is in revision assailing the order dated 26.09.2014 (P-1) passed by the learned Additional Civil Judge(Sr. Divn.), Malout whereby the execution of a decree for recovery of Rs.1,36,000/- has been dismissed on the ground that the decree holder is not interested in pursuing the execution as in terms of the previous permission, he has neither himself made the bid nor arranged for any bidder in the auction conducted on 15.09.2014.

By referring to the proceedings of the auction warrant dated 15.09.2014 (P-2), it is contended that no bid was made in the light of a possible compromise on the terms projected by the JD for clearing the debt. It is thus contended that the JD having subsequently failed to fulfill his promise, the prayer in the present revision is for directing the executing Court to conduct a fresh auction at his expenses.

After hearing learned Counsel for the petitioner/decreed holder and perusing the documents on record, the impugned order dated 26.09.2014 (P-1) is set aside and the learned Executing Court is directed to fix another date for conduct of the auction in accordance with law.

Disposed of in the above terms.

**(JASWANT SINGH)
JUDGE**

January 12, 2015
Vinay