

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

Civil Revision No.2380 of 2015 (O&M)
Date of Decision: September 01, 2015

Balbir Singh

...Petitioner

Versus

Gian Singh & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr.Ashish Gupta, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

The challenge in the present revision petition is to the order dated 30.1.2015 (Annexure P-1), whereby the objections filed on behalf of the petitioner-judgment debtor against the drawing of the final decree, have been dismissed.

It is a matter of record that *ex-parte* judgment and decree was passed against the petitioner-judgment debtor and an application under Order 9 Rule 13 CPC has been filed, which is pending adjudication as issues have been framed and the parties to the lis are leading evidence.

Mr.Ashish Gupta, learned counsel appearing on behalf of the petitioner submits that an appropriate application for seeking interim stay shall be filed in the said application, provided the order passed by this Court

may not come in the way of the petitioner-judgment debtor.

I have heard the learned counsel for the petitioner and appraised the paper book.

The petitioner has wrongly chosen to file the objections for not drawing the final decree, inasmuch as the *ex-parte* judgment and decree is still in vogue.

Learned counsel for the petitioner submits that no interim prayer has been sought or application has been filed in this regard.

It would be appropriate that the petitioner-judgment debtor should move an application for staying the execution of the *ex-parte* judgment and preliminary decree, instead of filing the objections. In case such an application is filed, the same shall be decided in accordance with law and the impugned order shall not come in the way of the petitioner-judgment debtor.

The revision petition stands disposed of in the aforementioned terms.

September 01, 2015
ramesh

(AMIT RAWAL)
JUDGE