

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.4488 of 2014 (O&M)
Date of Decision: 29.01.2015

M/s. Mahindra Cotton Company and another

...Petitioners

Versus

M/s. Mahavir Cotton Factory

...Respondent

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

1. *Whether Reporters of the 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. Rajan Bansal, Advocate
for the petitioners.

Mr. Munfaid Khan, Advocate for
Mr. Amit Kumar Jain, Advocate
for the respondent.

R.P. Nagrath, J. (Oral)

Challenge in the instant petition is to the order dated 24.05.2014 (Annexure P-4) passed by the Executing Court whereby conditional warrants of arrest of petitioners for recovery of the decretal amount have been issued

I have heard learned counsel for the parties and also perused the impugned order.

The learned Executing Court has not recorded any reason before issuing the conditional warrants against the petitioners-JD. Learned counsel for the petitioners has also

submitted that even no application under Order XXI Rule 37 of the Code of Civil Procedure was moved. Since the impugned order passed by the Executing Court is cryptic and not based on reasons, the same is set aside with a direction to the Executing Court to hear the parties again and pass the reasoned order on the prayer made by respondent-decree holder, in accordance with law.

The parties are directed to appear before the Executing Court on 16.02.2015.

Petition stands disposed of in the terms indicated above.

29.01.2015
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(R.P. Nagrath)
Judge