

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No.5872 of 2014

Date of decision : November 30, 2015

Major Singh

..... Petitioner

Versus

Sukhdev Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr.R.K.Singla, Advocate for the petitioner.

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?

Amit Rawal, J (Oral)

Petitioner/Judgment Debtor is in revision against the order dated 11.02.2014 (Annexure P-4), whereby, the Executing Court, passed the orders of warrants of attachment of property on receipt of list of property.

Mr.R.K.Singla, Advocate appearing on behalf of petitioner submits that the orders of warrants of attachment is not speaking one, whereas detailed objections were filed. He further submits that petitioner had suffered huge loss due to non execution of agreement. Before ordering the attachment of properties belonging to the petitioner, trial Court was duty bound to examine the petitioner so as to ascertain as to whether he has other property or not, in satisfying the decree whereas, order of attachment tantamounts to attachment of entire property as the decree is only with respect to Rs.5 Lacs alongwith interest.

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

The condition of the attachment of the entire property was not proved. A perusal of the facts reveals that no application has been placed by the petitioner disclosing list of property. Therefore, it cannot be deduced as to whether the entire

property belonging to the judgment debtor is being attached or only part of it.

Keeping in view of the above fact, I do not find any illegality and perversity in the impugned order warranting interference.

There is no merit in the case and the same is accordingly, dismissed.

Petitioner is directed to appear before the trial Court.

(AMIT RAWAL)
JUDGE

November 30, 2015
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