

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.6705 of 2015(O&M)
Date of decision: 13.10.2015

Harvinder Kumar

... Petitioner

Versus

Ravinder Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Dr. Naresh Kaushik, 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?

ARUN PALLI J. (Oral)

Vide order being assailed dated 10.08.2015, rendered by Civil Judge (Jr. Divn.), Dasuya, 1/3rd salary of the petitioner had since been ordered to be attached, every month, till the satisfaction of the decree. Concededly, an ex parte decree dated 02.05.2002, for a sum of ₹ 1,53,832/-, was passed against the petitioner. An application, under Order 9 Rule 13 of the Civil Procedure Code, for setting aside the said decree was purportedly moved after a period of almost 8 years on 07.04.2010. Learned counsel for the petitioner concedes that till date no stay order has been granted by any court in respect to the decree dated 02.05.2002. As there was no stay, executing court was under obligation to proceed to execute decree dated 02.05.2002. Insofar as the attachment of 1/3rd

salary of the petitioner, not a word is mentioned in the grounds of revision as to how the order dated 10.08.2015, vide which the executing court ordered attachment, was either erroneous or suffered from any material illegality.

That being so, no interference is warranted in exercise of revisional jurisdiction, under Article 227 of the Constitution of India. Petition being devoid of merit is accordingly dismissed.

October 13, 2015
Rajan

(Arun Palli)
Judge