

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

**CR NO.6929 OF 2014 (O&M)
DATE OF DECISION : 13th JANUARY, 2015**

Vaid Swami Dayanand Giri

.... Petitioner

Versus

Ramesh Chand & another

.... Respondents

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. Manoj Chahal, Advocate for the petitioner.

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SURINDER GUPTA, J. (ORAL)

The challenge in this revision petition is to the order dated 08.07.2014 passed by the Executing Court, Bhiwani, whereby further opportunity for filing the objection was declined.

Learned counsel for the revision petitioner has putforth two arguments. Firstly, that it was a protracted litigation, as such, the Executing Court has committed grave error of law while declining the opportunity to file objections. Secondly, the execution application was filed before the Rent Controller while under Section 18 of Haryana Urban (Control of Rent and Eviction) Act, 1973 the order passed by the Rent Controller is to be executed by the Civil Court as if it is a decree or order of civil Court, as such, execution application is bad in the eyes of law.

Learned counsel for the revision petitioner could not point out any provision of law which require that the judgment debtor is required to be given any opportunity to file objections. During the execution proceedings, grant of such opportunity, if allowed, will unnecessary delay the execution proceeding. If the executing Court had

allowed any adjournment only for the purpose of filing objections, the same was procedural irregularity and order declining to grant further opportunity to file objection, suffers from no legal infirmity.

The second contention raised by learned counsel for the petitioner is also without merit as the order of Rent Controller is being executed by the Civil Court. Mere fact that execution application was presented before the Rent Controller, Bhiwani, is of no consequence.

The perusal of the paper book shows that ejectment petition was filed in the year 1994. It has been submitted that the matter has become final upto the Hon'ble Supreme Court. This revision petition appears to be an attempt to further delay the execution proceedings in a rent case which is already two decades old.

As a sequel of my above discussion this revision petition has no merits.

Dismissed.

13th January, 2015
'raj'

(SURINDER GUPTA)
JUDGE