

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

Civil Revision No.7395 of 2013

Date of Decision: September 17, 2015

M/s Shree Industries

.... Petitioner

vs.

Bank of India

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vivek Salathia, Advocate for the petitioner.

Mr. Ranjan Lohan, Advocate for the respondent.

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 19.11.2013 passed by learned Civil Judge (Jr. Divn.), Amritsar, vide which notice of sale under Order XXI, Rule 66 for the sale of residential house of the petitioner was issued.

I have heard learned counsel for the parties and have also carefully gone through the case file.

The plea of learned counsel for the petitioner is that while decreeing the suit, the interest with quarterly rests was allowed against defendant Vijay Kumar Shinghania, who is now dead and has been succeeded by the present petitioner.

The prayer is that in place of allowing quarterly interest rest, the simple interest should be allowed.

I am of the view that in the execution proceedings, such concession is not possible even though as per the claim of learned counsel for the petitioner, he has deposited more than Rs.7,00,000/- against the original decree of ₹1,39,426.81, which was passed on 08.12.1992 and still remains unexecuted. The residential house is the mortgaged property and could be sold in the execution proceedings. Therefore, there is no ground to interfere in the impugned order.

Hence, the present revision petition stands dismissed.

September 17, 2015
sarita

(KULDIP SINGH)
JUDGE