

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

**C.R. No.1413 of 2016**

**Date of Decision.25.02.2016**

Pawan Kumar Lehna

.....Petitioner

Vs.

Haryana Gramin Bank

.....Respondent

Present: Mr. Naresh Kumar Bansal, Advocate  
for the petitioner.

**CORAM:HON'BLE MR. JUSTICE K. KANNAN**

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?

-.-

**K. KANNAN J. (ORAL)**

1. An objection brought before the Executing Court against further process in execution was rejected and the Court allowed for attachment proceedings to continue. The objection was that the decree that was passed was ex parte and application to set aside ex parte decree has been filed. In the same court where an application is pending, the defendant is entitled to file an application for stay of further proceedings and secure appropriate orders. If no stay has been obtained in the Court which has passed the decree along with the application which is filed for setting aside ex parte decree, the execution cannot be stopped. The Executing Court is not required to be fetter itself unless there was an order of stay granted on the original side in the application for setting aside the ex parte decree.

2. The order passed is sustained and the revision petition is dismissed.

**(K. KANNAN)  
JUDGE**

**February 25, 2016**

**Pankaj\***