

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

C.R. No.211 of 2016

Date of Decision.14.01.2016

The M.D. M/s S.B. Packagings Limited

.....Petitioner

Vs.

Lalji son of Sh. Ram Surat

.....Respondent

Present: Mr. Jatinder Nagpal, 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?

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K. KANNAN J. (ORAL)

1. There is no bona fide for a judgment debtor to arrive to this Court to say that the Executing Court could not have directed a cheque to be issued in a particular manner. According to him, the name of the decree holder has at all times been only Lalji and now there is a direction that they must issue a cheque in the name of the Lalji Morya. The Executing Court has given such direction and therefore, the management is aggrieved.

2. There is no change in identity of the person and if the decree holder wants a cheque to be drawn in particular manner giving his full name as Lalji Morya, there ought not to be objection by the judgment debtor. If he has still any doubt about the identity, the best method is to deliver the cheque in the name he wants and apply for a full satisfaction. If the Court records a full satisfaction of payment of the cheque and enters the same, the judgment debtor will be fully

protected and it will obviate any scope of future dispute that the amount paid by the judgment debtor has not been paid to the right person. If the Court has already passed an order, the order of the Court itself is justification for the defendant-judgment debtor to claim full immunity against any future prosecution. The petitioner will adopt the procedure as contemplated under Order 21 Rule 1 CPC and obtain the full discharge of his liability under the decree.

3. The revision petition is disposed of with the above observations.

**(K. KANNAN)
JUDGE**

January 14, 2016
Pankaj*