

CR-2547-2012

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

CR-2547-2012 (O & M)

Date of Decision: 29.02.2016

M/s Auto Piston Manufacturing Co. (Pvt.) Ltd.

... Petitioner(s)

Versus

M/s Amritsar Electric Company

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

- 1) Whether Reporters of the 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 ?

Present: Mr. Lalit Thakur, Advocate,
for the petitioner.

Mr. Veneet Sharma, Advocate,
for the respondent.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant civil revision has been filed under Article 227 of the Constitution of India for setting aside the order dated 02.03.2012 (Annexure P-1) whereby objections filed by the petitioner-company in the execution petition filed by the respondent, have been dismissed by learned Civil Judge (Jr. Divn.), Amritsar and warrants of attachment against the property of the petitioner-judgment debtor has been ordered to be issued.

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In brief, the facts necessary for disposal of the instant revision are to the effect that the respondent-decree holder filed application for execution of the judgment and decree dated 16.02.2002. The petitioner filed objections on the ground that the judgment and decree dated 16.02.2002 is null and void as before institution of suit, no prior permission was obtained from this Court. On the date of filing of the suit i.e. 16.02.2001, the judgment debtor-company was not in existence and was wound down. The Executing Court after considering the rival contentions of learned counsel for the parties dismissed the objections and warrants of attachment against property of the petitioner-judgment debtor, has been issued. Hence, this revision petition.

I have heard learned counsel for the parties and perused the record.

Today, Mr. Mohit Sud has appeared in person and states that his grand-father and father have expired and he is now representing the respondent. The parties have settled the dispute amicably. The petitioner has made the payment of Rs.20,000/- to Sh. Mohit Sud, who has been duly identified by learned counsel for the respondent, as full and final settlement. A receipt in this regard has also been handed over to learned counsel for the petitioner. Now, no further claim shall survive in the execution petition and the execution petition pending in the Court shall stand dismissed being fully satisfied.

In view of above, the impugned order dated 02.03.2012 (Annexure P-1) is set aside and property of the petitioner which has been

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attached, shall be released.

Disposed of in the aforementioned terms.

29.02.2016

parveen kumar

(Paramjeet Singh Dhaliwal)
Judge