

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

C.R. No.3152 of 2016

Date of Decision.11.05.2016

Jaswinder Singh

.....Petitioner

Vs.

Sarup Singh and others

.....Respondent

Present: Mr. S.S. Ranghi, Advocate
for the petitioners.

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. The petition that deserves to be thrown out as an objection brought at the stage of execution is again a subject of challenge before this Court. It is a case of ex parte decree put in execution and an application to set aside the ex parte decree had already been dismissed. It appears that there is an appeal filed against the judgment and it is still pending. Any execution can be stayed only if there is an order of stay from the Appellate Court and the Executing Court itself will not fetter its jurisdiction from executing it. The order passed rejecting the objection was perfect and I will find no scope for interference.

2. The counsel seeks for interim protection till the appeal is disposed of. The petitioner may make an endeavour before the Appellate Court and seek for stay and will not make this plea before this Court, for he is literally knocking at the wrong forum. The revision petition is disposed of.

**(K. KANNAN)
JUDGE**

May 11, 2016
Pankaj*