

**CR-3894-2015**

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

**CR-3894-2015 (O & M)**

**Date of Decision: 19.02.2016**

Balbir Singh

... Petitioner(s)

Versus

Charan Pal Singh

... 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. Sandeep Jasuja, Advocate,  
for the petitioner.

Mr. Raman Goklaney, 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 30.03.2015 (Anneuxre P-5) passed by learned Additional Civil Judge (Sr. Divn.), Jalalabad whereby conditional warrant of arrest of the petitioner-judgment debtor has been issued.

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

**CR-3894-2015**

The only grievance of the petitioner is that he has not been properly served and the impugned order dated 30.03.2015 (Annexure P-5) has been passed on his back which affects his liberty, therefore, the Executing Court is required to pass appropriate order after hearing the parties. Perusal of file reveals that the judgment debtor was not served and it was by way of affixation and ultimately the conditional warrant of the judgment debtor has been issued.

Without going into merits of the case, the impugned order dated 30.03.2015 (Annexure P-5) is set aside and the petitioner is allowed to defend his case in accordance with law.

Parties through their counsel are directed to appear before the Executing Court on 12.04.2016, stated to be fixed before the Court.

Disposed of in the aforementioned terms.

**19.02.2016**  
parveen kumar

**(Paramjeet Singh Dhaliwal)**  
**Judge**