

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

**Civil Revision No.3973 of 2013 (O&M)
Date of Decision: July 15, 2016.**

Darshan Singh

.....PETITIONER(s).

VERSUS

Manohar Lal

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

CM-13638-CII-2016

Application is for placing on record orders passed by the
Executing Court as Annexure P/6.

The same is taken on record, subject to all just exceptions.

Application stands disposed of.

CR-3973-2016

Heard.

Learned counsel for the petitioner submits that the execution proceedings were filed in the year 2014. Earlier it was stayed due to order passed by this Court in the revision petition No.CR-1582-2014, which was finally disposed of on 27.02.2016. and as per the order dated 20.05.2016 passed by the executing Court, copy of order was received and warrants of possession were ordered to be issued for 01.07.2016, however, on

01.07.2016, the decree-holder was called upon to file affidavit. Though this fact is not mentioned in detail in the order but the executing Court asked the petitioner/decreed-holder to file affidavit to the effect that revision petition has been disposed of. There is no requirement to file affidavit by the decree-holder as the copy of order is already on record.

On perusal of order dated 20.05.2016, I find that the copy of the order passed in the revision petition was received by the executing Court and warrants of possession were ordered to be issued for 01.07.2016 and on 01.07.2016, the executing Court passed the following order:-

“Affidavit not filed. Be filed on 3.8.2016.”

The above order passed by the executing Court makes no head or tail and does not explain as to what affidavit is required. However, without making any comments on the merits, this petition is disposed of with direction to the executing Court to dispose of execution proceedings preferably within six months after receipt of this order.

July 15, 2016.
Sachin M.

(SURINDER GUPTA)
JUDGE