

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

CR No.4292 of 2016(O&M)
Date of decision: 13.07.2016

Joginder Singh

... Petitioner

Versus

Sukhdev Singh (deceased) through his LRs

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sarju Puri, Advocate for the petitioner.

ARUN PALLI J. (Oral)

Vide this petition, under Article 227 of the Constitution of India, a direction is prayed for to the executing court i.e. Civil Judge (Sr. Divn.), SBS Nagar, to decide the execution proceedings preferred by the petitioner/decreed-holder in a time bound manner and also his application under Section 152 of the Code of Civil Procedure.

Learned counsel for the petitioner has drawn my attention to the order, dated 17.01.2011 (Annexure P3), passed by this court in CR No.287 of 2011, vide which even earlier the petitioner had approached this court and the petition was disposed of with a direction to the executing court to decide the objections preferred by the respondent, as also the execution petition within a period of six months from the date of receipt of certified copy of the said order. He submits that although a period of over five years had gone by, but the matter has not made any meaningful progress. He asserts that the delay in execution of the decree has caused incalculable loss to the

petitioner. Thus, the executing court be directed to finalize the proceedings within a specified time.

In conspectus of the position as sketched out above, the petition is disposed of with a direction to the executing court to decide the matter, that is, execution petition, objections preferred by one of the LRs of the JD, as also the application under Section 152 CPC, which purports to have been pending, as expeditiously as possible, preferably within a period of three months from the receipt of the certified copy of this order.

July 13, 2016
Rajan

(Arun Palli)
Judge