

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.6205 of 2016

Date of Decision: October 06, 2016

Hardev Singh

...Petitioner

Versus

Manjit Kaur

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.Rahul Rampal, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

Petitioner-judgment debtor is aggrieved of the impugned order, whereby despite the stay granted by this Court in Regular Second Appeal No.1015 of 2014 titled as “Hardev Singh Versus Manjit Kaur” vide order dated 22.7.2015, warrant of possession in execution of the judgment and decree has been issued.

This Court, vide order dated 22.9.2016, had called upon the comments of the concerned Judicial Officer. The concerned Judicial Officer has expressed remorse and tendered an unconditional apology regarding issuing the warrant of possession inadvertently. This Court had granted status-quo with regard to possession of the property on 22.7.2015 in the aforementioned pending Regular Second Appeal on the misc.application, but yet the Executing Court issued the warrant of possession. The explanation expressing tendering of unconditional apology has been noticed. Once there was a stay by this Court, the Executing Court could not have been proceeded further in the manner and mode as has been

done. Accordingly, the impugned order is hereby set-aside.

Revision petition stands allowed.

October 06, 2016
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No