

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CR No.6335 of 2015 (O&M)  
Date of decision:28.01.2016

Ramesh Chander Khanna

... Petitioner

Vs.

M/s Net Share Private Limited

... Respondent

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Ms. Navdeep, Advocate  
for the petitioner.

**AMIT RAWAL J. (Oral)**

The petitioner-defendant is aggrieved of the order dated 04.07.2015 (Annexure P-6), whereby, objections filed in the execution of the judgment and decree dated 30.11.2010, have been dismissed.

Ms.Navdeep, learned counsel appearing on behalf of the petitioner-defendant submits that against the aforementioned judgment and decree, statutory appeal by invoking the provisions of Section 96 of the Code of Civil Procedure, was filed on 24.01.2011. During this period, the respondent-decree holder did not file execution application but the same was filed on 17.07.2014. Accordingly, the application seeking stay of operation of the judgment and decree of the trial Court was moved on 01.11.2014 and that application is stated to be pending. However, during all this period,

Court did not hear the appeal. At the best, it should have heard and decided the same, therefore, there would not have been any occasion to file the objections and seek interim stay.

I have heard learned counsel for the petitioner-defendant and appraised the paper book.

I am of the view that there is no substance in the revision petition. Remedy for the petitioner is to seek interim stay vis-a-vis operation of the judgment and decree. Even otherwise, for three years, the execution application was not filed. No explanation has come forth in the grounds of revision, why the arguments have not been addressed in the appeal which is stated to be pending, much less, there is no adjudication on the interim application dated 01.11.2014. The remedy, for the petitioner is to seek interim stay vis-a-vis operation of the impugned judgment and decree and not in the manner and mode which has been adopted by filing the objections.

In view of the aforementioned observations, I do not intend to differ with the findings rendered in the impugned order, however, direction is issued to the Appellate Court to decide the appeal along with application of interim stay within a period of one month from the date of receipt of certified copy of this order or on the date already fixed.

With the aforementioned directions, revision petition is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**January 28, 2016**  
savita