

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.7497 of 2016
Date of Decision: 09.11.2016

PirthiPetitioner

Versus

M/s Surat Singh Aljinder ChauhanRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sachin Mittal, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner is the judgment debtor. A suit for recovery was decreed with costs in a sum of Rs.2,65,000/- along with interest @ 6% per annum from the date of filing of the suit till realization of the amount vide judgment and decree dated 23.10.2009.

[2]. The decree has already attained finality. In execution, judgment debtor filed objections. Executing Court has already passed an order to the effect that instead of attaching the entire charged property of the judgment debtor, 8 kanals of land would suffice to serve the purpose of satisfying the decree. Executing Court has already fixed the schedule thereby fixing the date for

court notice, spot notice, auction and report.

[3]. Since the decree had already attained finality, therefore, no substance was found in the objections filed by the judgment debtor except to reduce the area of attachment. Impugned order seems to be validly passed.

[4]. No interference can be made in the impugned order dated 23.09.2016 passed by Civil Judge (Senior Division), Karnal as the same is not found suffered with any error of jurisdiction or perversity. However, petitioner would be at liberty to take all these points before the executing Court in case something survives in execution.

09.11.2016

Prince

**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No