

C.O.C.P. No. 968 of 2014 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.O.C.P. No. 968 of 2014 (O&M)

DATE OF DECISION:17.08.2017

Jaswinder Pal Singh

.....Petitioner

Versus

Rajinder Singh @ Makhan Singh and others

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Naresh Prabhakar, Advocate
for the petitioner.

Mr. Arun Bhardwaj, Senior Advocate with
Mr. Sanjay Vij, Advocate and
Mr. Akshay Bhan, Senior Advocate with
Mr. Alok Mittal, Advocate
for respondents No.1 to 3.

Mr. Anil K. Ahuja, Advocate
for respondent No.5.

DAYA CHAUDHARY, J.

C.M. No. 6908-09-CII of 2017 and

C.M. No. 3505-CII of 2017

Said applications are listed for hearing on 26.9.2017. As the main case is to be disposed of today, therefore, these applications are also taken up for hearing today itself by preponing the date.

C.M. No. 6908-CII of 2017

This is an application for impleading Mr. Hari Kishan Gulati, Accountant/Manager, Gulati Edition, SCO No. 94-95, Sector 17-C,

C.O.C.P. No. 968 of 2014 (O&M)

(2)

Chandigarh as respondent No.4 and Ajit Singh, R/o Kothi No. 363, Sector 4, Panchkula as respondent No.5.

For the reasons mentioned in the application, the same is allowed and Mr. Hari Kishan Gulati, Accountant/Manager, Gulati Edition, SCO No. 94-95, Sector 17-C, Chandigarh and Ajit Singh, R/o Kothi No. 363, Sector 4, Panchkula are ordered to be impleaded as respondents No.4 and 5, respectively.

**C.M. No. 6909-CII of 2017,
C.M. No. 3505-CII of 2017 and
C.M. No. 16060-CII of 2017**

These applications are disposed of having become infructuous.

C.M. No. 16059-CII of 2017

This application has been filed for placing on record written statement on behalf of respondents No.1 to 3.

Application is allowed and written statement on behalf of respondents No.1 to 3 is taken on record.

COCP No. 968 of 2014

Admittedly, the execution petition is pending since 2006. It is also not disputed that respondents No.1 to 3 were not served for want of correct addresses but as per direction issued by this Court on 27.4.2017 they appeared before this Court on 26.7.2017.

Learned senior counsel appearing for respondents No.1 to 3 undertake to pursue the execution proceedings and also that they will make their appearance through their counsel on the next date of hearing i.e. 31.8.2017. Learned senior counsel also submit that respondents No.1 to 3 will not cause any unnecessary delay even in filing objections and in furtherance thereto. All efforts will be made to conclude the proceedings.

However, learned counsel for the petitioner is apprehending delay on the part of respondents No.1 to 3 because of their past conduct and the execution petition is pending since 2006.

By considering the aforesaid submissions, the present petition is disposed of with a direction to respondents No.1 to 3 to appear through their counsel before the Executing Court and to file objections within a reasonable time as per law and in case such objections are filed then the executing Court is also directed to conclude the execution petition expeditiously as early as possible.

In case the personal appearance of respondents No.1 to 3 is required by the executing Court, learned senior counsel appearing on their behalf undertake that respondents No.1 to 3 will be present, if necessary.

August 17, 2017
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No