

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

110

CR No.1116 of 2015
Date of Decision:22.11.2017

Ravi Kant

...Petitioner

Versus

The Executive Engineer and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ajay Kumar Kansal, Advocate
for the petitioner.

Mr. S.K. Mahajan, Advocate
for respondent No.1.

ANIL KSHETARPAL, J.(Oral)

Dispute in the present case is whether property of the Office Bearer, in case of a decree against the Co-operative House Building Society, can be put to auction or not. Petitioner claims that he was only a Secretary for one day and his individual property has been attached in execution of a decree passed against the Co-operative Labour and Construction Society Limited.

Learned Executing Court has refused to go into this issue on the ground that the property of the then President late Shri Mahavir Parshad had been attached vide order dated 01.08.2014.

In the considered opinion of this Court, the Executing Court was duty bound to adjudicate upon whether the individual property of the Ex-office Bearer can be attached and sold for satisfying the decree passed against the Co-operative Labour and Construction Society Limited. Since this issue has not been decided, therefore, impugned orders dated

directed to re-decide the objections filed by the petitioner (Annexure P-7).
Parties through their counsel are directed to appear before the learned
Executing Court on 08.12.2017.

Hence, this revision petition is allowed.

22.11.2017
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes
Whether Reportable : No