

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CR No.3751 of 2016

Date of decision :10.08.2017

M/s Gill Bus Service

... *Petitioner*

Versus

Harbhajan Singh and others

... *Respondents*

CORAM : HON'BLE MR.JUSTICE RAJ MOHAN SINGH

Present : None.

Raj Mohan Singh, J.(ORAL)

[1]. This revision petition has been filed against the order dated 04.05.2016 passed by Additional District Judge, Amritsar, vide which application filed by the petitioner for release of his buses bearing registration No.PB-02-H-9979 and PB-02-D-9467 was dismissed.

[2]. On 27.05.2016, following order was passed by the Co-ordinate Bench of this Court:-

“Challenge in this petition is to order dated 04.05.2016 passed by learned Additional District Judge, Amritsar whereby application to release buses No. PB02-H-9979 and PB02-D-9467 has been dismissed. It is specifically observed in the impugned order that the award in question was passed by the MACT, Amritsar on 01.10.2013. Execution proceedings were pending and the route permit was illegally transferred from New Azad Transport Cooperative Company Ltd., Amritsar, the Judgment

Debtor, in favour of the petitioner on 31.10.2015 and the registration of the two buses in question bears the date 26.02.2016. At the time of attachment of the buses in question, Registration Certificates were existing in the name of Judgment Debtors and the entire transaction is observed to have been carried solely to frustrate the execution of the decree.

At this stage, learned counsel for the petitioner prays for some time to seek instructions.

On request, adjourned to 11.07.2016.”

[3]. On 11.07.2016, notice of motion was issued only to the extent of exploring the possibility of satisfying the award by selling one of the bus (except 2 buses in question) shown in the list of property dated 04.03.2016 submitted by the decree holder in the executing Court. Thereafter, none appeared on behalf of the petitioner subsequently on 19.01.2017 and 16.03.2017.

[4]. Today also despite three pass overs, none has come present. It appears that petitioner is not interested in pursuing this petition any more.

[5]. Faced with this situation, this Court is left with no option, except to dismiss the petition for want of prosecution.

[6]. Ordered accordingly.

[Raj Mohan Singh]
Judge

10.08.2017

Prince

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No