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

Civil Revision No.4010 of 2017

Date of decision: 01.06.2017

Meena Devi

...Petitioner

Versus

Jatinder Gupta

...Respondent

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Aayush Gupta, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner-decree holder being the mother of respondent has approached this Court under Article 227 of the Constitution of India praying for issuance of a direction to the Executing Court, Ludhiana to conclude the pending execution No. EXE/90 of 2016 of the judgment dated 19.11.2014 which has been upheld by this Court in RSA No.1237 of 2016 on 22.3.2016 (Annexure P/2). While referring to the zimini orders reproduced in the body of the petition it is submitted that execution was presented on 19.1.2016 and the same has been pending for almost a year and half. The respondent and his wife have been raising various objections and consideration is being denied by the Executing Court. In such circumstances, being a senior citizen this Court has been approached by way of present petition.

It has been further pointed out that objections are some what similar to what was the case set up by the defendant before the Courts below and before this Court that they had contributed to the purchase of

property in question which has been rejected. It is submitted that therefore necessary direction is required.

A perusal of the zimini orders would go on to show that reply to the objections were filed on 22.9.2016 but consideration has not been made on various dates and arguments were heard partly on 2.12.2016. Thereafter, fresh application came to be filed by Rattan Devi the wife of the respondent and the matter is hanging fire since then.

Resultantly, keeping in view the fact that the litigation is interse the mother and the son, this Court is of the opinion that the Executing Court shall decide the objections as expeditiously as possible preferably within a period of two months from the date of receipt of a certified copy of this order.

With the observations, the present revision petition is disposed off.

June 01, 2017
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No