

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

211

CR-5018-2016 (O&M)

Date of decision: 07.10.2017

VIDYA DEVI

...Petitioner

Versus

GURDEEP SINGH & ANR.

...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Ms. Puja Chopra, Advocate for the petitioner.

Respondent No.1 present in person with
Mr. R.S. Randhawa, Advocate

REKHA MITTAL, J. (Oral)

The present petition directs challenge against order dated 19.07.2016 passed by the Civil Judge (Jr. Div.), Patiala in execution pertaining to money decree.

Counsel for the parties are ad idem that the petitioner paid an amount of Rs.75,000/- prior to filing of the present petition and an amount of Rs.2,50,000/- has been paid during pendency of the present petition. They are also one that outstanding liability as on 13.10.2017 is Rs.2,27,000/-.

Counsel for the petitioner has submitted that the petitioner is a poor lady who is residing in the house in question with her two destitute daughters. It is prayed that the petitioner may be permitted to pay the outstanding amount along with interest accruing till 07.02.2018 as per decree by way of two installments of Rs.1.15 lakh on or before 07.12.2017 and the remaining amount by 07.02.2018.

Counsel for respondent No.1 has submitted that the petitioner may be allowed two months time to clear the outstanding liability.

As the petitioner has shown her *bona fide* to clear the outstanding liability by making payment of Rs.2.50 lakh during pendency of the petition since 08.08.2016, the petitioner is allowed time till 07.02.2018

to clear the outstanding liability in the following terms:-

1. The petitioner shall deposit an amount of Rs.1.15 lakh as part payment with the executing Court on or before 07.12.2017.
2. She will pay the balance amount on or before 07.02.2018.
3. In case the petitioner fails to deposit an amount of Rs.1.15 lakh before 07.12.2017, the executing Court shall be at liberty to proceed with the execution for realization of the balance amount, in accordance with law.

Disposed of accordingly.

07.10.2017

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No