

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

CR No.6872 of 2017(O&M)

Date of decision: 6.10.2017

Balwant SinghPetitioner

VERSUS

Devender SinghRespondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. S.K. Verma, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

The present petition directs challenge against order dated 31.07.2017 (Annexure P-6) passed by the executing Court whereby conditional warrants for arrest of the petitioner/JD for recovery of decretal amount of Rs.4,12,600/- with interest at the rate of 6% per annum has been issued.

Counsel for the petitioner has submitted that the petitioner is the owner of land reflected in the jamabandi (Annexure P-5) and he has got no objection if land to the extent of his share is attached and sold for realization of the decretal amount. He has further submitted that the petitioner is even ready to satisfy the decree by making payment in easy installments as there is scarcity of cash, if so permitted by the Court.

Issuance of notice to the respondent is dispensed with. The present petition stands disposed of in the following terms:-

1. The petitioner shall deposit an amount of Rs.2 lakhs towards part payment of the principal amount on or before 21.10.2017.

2. The petitioner shall not be arrested till 21.10.2017 in order to enable him to arrange funds for deposit before the executing Court.
3. In case the petitioner deposits amount of Rs.2 lakhs on or before 21.10.2017, the trial Court shall consider his prayer for payment of remaining amount in installments.
4. In case the petitioner fails to deposit Rs.2 lakhs within the stipulated period, the petition shall be deemed to be dismissed.

OCTOBER 6, 2017

‘D. Gulati’

(REKHA MITTAL)**JUDGE**

Whether speaking/reasoned : yes/no

Whether reportable : yes/no