

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2612-2018 (O&M)

Date of decision : 24.4.2018

Dalbir

..... Petitioner

Versus

Prop. Firm M/s Singroha Trading Company

Commission Agent and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Vijiay Singh, Advocate for the petitioner.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 17.7.2017 passed by learned Additional District Judge, Jind, whereby an application filed on 9.3.2017 under Order XLI Rule 5 of the Code of Civil Procedure 1908 was dismissed.

Heard.

Learned counsel for the petitioner states that money decree for recovery of Rs. 4,05,170/- was passed in favour of plaintiff-respondent. In the appeal, lower Appellate Court refused to stay the operation of the decree as fresh security has not been offered. He further states that petitioner is ready to offer security for the compliance of the decree that may be ultimately passed against him. It is further stated that counsel had not informed the petitioner-defendant about the said security. Moreover, no security was demanded from him by the Court.

In view of the matter, without issuing notice to the respondent, impugned order dated 17.7.2017, passed by learned Additional District Judge, Jind is set aside and the petitioner-defendant is directed to furnish the security to comply with the money decree passed against him and on furnishing the said security, learned Additional District Judge, Jind is directed to reconsider the plea of the plaintiff-respondent for staying the operation of the impugned order and decree.

Accordingly, present revision is allowed.

Since, main petition is allowed, the miscellaneous application pending, if any, also stands disposed of.

(KULDIP SINGH)
JUDGE

24.4.2018
preeti

Whether speaking / reasoned	Yes
Whether Reportable:	No