

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No. 4185 of 2017
Date of decision: 20.03.2018

Smt. Sudershan Chander

....Petitioner(s)

Versus

Smt. Usha Nanda

...Respondent(s)

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

Present: Mr. S.N. Ahuja, Advocate,
for Ms. Kulwant KK, Advocate
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Vide the impugned order dated 18.04.2017 (Annexure P-1), the application for recalling of the conditional warrants against the judgment debtor was dismissed. The Court noticed that the conduct of the judgment debtor was such that she was not entitled for the relief as the decree under execution was passed on 08.05.2010 and she had used all methods to evade her presence and avoided making payment. She had been declared proclaimed offender in several cases and she had put in appearance on 01.07.2013 when she had appeared on account of publication in the newspaper. Accordingly, the revision petition has been filed.

It is pertinent to notice that on 03.07.2017, the following order was passed:-

“Learned counsel for the petitioner seeks time to place on record the decree passed against the petitioner alongwith an affidavit of the petitioner, as to whether said decree has become final against her and if that is so, within how much time, she would make the payment of decretal amount.

On her request, adjourned to 7.11.2017.”

Three adjournments have been taken by the counsel to comply with the said order and today also, request for adjournment has been made.

Keeping in view the cumulative facts, this Court is of the opinion that the order does not suffer from any infirmity as the amount which is sought to be recovered is by the landlord on account of arrears of rent which the judgment debtor is refusing to pay in spite of the decree having become final.

Resultantly, finding no merit in the present revision petition, the same is dismissed in limine.

20.03.2018
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No