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

CR No.4226 of 2018

Date of Decision: 06.07.2018

Monti

....Petitioner

Vs

Ram Anjor and another

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Ankur Sidhar, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

1. This revision petition has been filed against the order dated 12.02.2018 passed by Civil Judge (Junior Division), Hisar vide which notice has been issued to the petitioner in the execution application filed by the respondents-decree holders.

2. Learned counsel for the petitioner submits that respondents-decree holders had already filed an execution before Commissioner, Hisar Circle, Hisar on 04.07.2013 and notice of the same was issued to the petitioner on 15.07.2013. Petitioner has already appeared in the said execution proceedings before the Commissioner.

3. Order dated 07.11.2017 was passed by the Commissioner, Employees Compensation Act to the effect that there is no movable or immovable property on the given address

of the judgment debtor, therefore, recovery is not possible. Details of movable and immovable property were sought to be obtained from the decree holders so as to effect recoveries of the dues. Thereafter, execution before the civil Court came to be filed by the decree holders without adhering to the requirement of execution before the Commissioner, Employees Compensation Act, 1923.

4. Vide the impugned order, only notice has been issued to the petitioner to appear in the Executing Court.

5. Petitioner would be well within his right to appear before the trial Court and apprise the Court about antecedent facts of the case. Petitioner would also be at liberty to press all these points which are being raked up in the present revision petition.

6. This petition is allowed to be dismissed as withdrawn with the liberty aforesaid.

7. In the event of raising all these points before the Civil Judge (Junior Division), Hisar, the same shall be decided by the said Court in accordance with law.

06.07.2018

Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No