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

CR No. 4307 of 2018

Date of Decision: 27.07.2018

Bhag Singh

....Petitioner

Vs

Surjit Singh and another

.....Respondents

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

Present: Mr. Vipin Sharma, Advocate, for
Mr. Surinder Mohan Sharma, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

1. This revision petition has been preferred by the petitioner for issuance of direction to the Executing Court not to proceed further with the execution i.e. sale deed may not be executed as the petitioner is ready to compromise the matter with the respondent by way of paying lumpsum amount of Rs.10 lac.

2. Perusal of order dated 02.07.2018 passed by Civil Judge (Junior Division), Ambala would show that warrant of attachments were received back unserved.

3. Learned counsel for the judgment debtor had placed on record No Objection Certificate issued by Punjab and Sind bank according to which, judgment debtor had deposited whole

of the loan amount to the Bank and nothing was due.

4. The Court observed that since the amount had already been paid by the judgment debtor, therefore, there was no requirement of attaching the property at this stage.

5. On 28.09.2017, Reader of the Court was appointed as Local Commissioner to execute the sale deed. While adjourning the case further, Reader was directed to execute the sale deed by the next date of hearing fixed vide the aforesaid order.

6. At the time of preliminary hearing of this case on 09.07.2018, learned counsel for the petitioner contended that the compromise is in offing and petitioner intends to resolve the controversy by making payment of lumpsum amount to the respondents/decreed holders.

7. It appears that the said order is not complied with by way of entering into any such amicable resolution of the dispute.

8. No indulgence can be granted in the facts and circumstances of the case.

9. This revision petition is accordingly, dismissed.

27.07.2018
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No