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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 497 of 2018 (O/M)
Date of decision : 24.1.2018

Gurpreet Singh

..... Petitioner

Versus

M/s Mahindra and Mahindra Financial Services Limited and others

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. N.S. Dandiwal, Advocate, for 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 ?
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KULDIP SINGH J. (ORAL)

Defendant-petitioner is aggrieved by order dated 18.11.2017 (Annexure-P-5 Colly), passed by the Executing Court, whereby warrants of attachment of property of JDs have been issued.

Heard.

The sole Arbitrator has passed an award dated 11.10.2003 for Rs. 371750/- alongwith interest at the rate of 18% per annum. The grouse of JD-petitioner is that he had filed an application for directing the decree holder to give the statement of accounts report relating to the agreement alongwith statement of installments received by decree holders from JD.

I am of the view that if JD-petitioner claims that payment is made, he is required to show such payment and file objections that such amount is required to be deducted from decretal amount. Mere filing of

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application is no ground, unless there is a proof that specific payment is made. There is no illegality and infirmity in the impugned order. Instant revision is dismissed. Liberty is granted to JD-petitioner to file appropriate objections claiming part payment of decretal amount.

(KULDIP SINGH)
JUDGE

24.1.2018
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No