

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

C.R. No.5139 of 2018

Date of Decision.30.08.2018

Moti Lal Yadav

.....Petitioner

Vs

M/s Indusland Bank Limited and another

...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Rohit Mittal, Advocate
for the petitioner.

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AMIT RAWAL J. (ORAL)

The petitioner-judgment debtor is aggrieved of the impugned order whereby an application submitted under Order 13 Rule 10 CPC in the execution petition has been dismissed.

The respondent-plaintiff had filed execution petition for execution of the arbitral award. In those proceedings, the petitioner-judgment debtor moved an application directing the decree holder to produce original loan agreement, award file and other details regarding loan.

In my view, the application was totally mala fide, devoid of merit, much less, atrocious. Such provisions of law do not apply to the execution proceedings. The award was based on documentary evidence and the matter, which has attained finality, cannot be re-appreciated in execution petition.

I do not find any illegality in the order under challenge and the same cannot be said to be passed without jurisdiction. No

ground for interference is made out. The revision petition is dismissed.

(AMIT RAWAL)
JUDGE

August 30, 2018
Pankaj*

Whether Speaking/Reasoned	Yes
Whether Reportable	No