

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

Sr. No.115

CR-5316-2018 (O&M)
Date of decision: 27.08.2018

Bazel International Limited

....Petitioner

versus

Trident Projects Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. D.P. Singh, Advocate
for the petitioner.

* * *

DEEPAK SIBAL, J. (Oral)

While seeking permission of this Court to withdraw the present petition, learned counsel for the petitioner submits that he would be satisfied if in terms of the intention shown by the Executing Court through its order dated 08.05.2018 whereby it was directed that both parties would be granted only one opportunity each for leading their evidence, the Executing Court be directed to dispose of the execution petition in a time bound manner.

Without expressing any opinion on the issues raised in the present petition and leaving the parties to agitate their respective claims before the Executing Court, the present petition is permitted to be withdrawn.

The record reveals that way back in the year 2002, the petitioner had filed a recovery suit against respondent No.1 which was decreed on 28.08.2006. Thereafter, in the execution proceedings filed at the instance of the petitioner, on the filing of third party objections, through an order dated 08.05.2018, the Executing Court framed three issues. Through

the aforesaid order, the Executing Court further made it clear that both the parties shall be granted only one opportunity each for leading their evidence. However, the interim orders produced by learned counsel for the petitioner reveal that the matter is now listed on 15.09.2018 and in the interregnum at least on four occasions, the matter was listed and adjourned.

In the light of the intention shown by the Executing Court in its order dated 08.05.2018 for early disposal of the petitioner's execution application and because in a recovery suit filed by the petitioner in the year 2002, a decree was passed in his favour on 28.08.2006 i.e. about 12 years ago as also for the reason that no prejudice would be caused to either party in case a direction is issued to the Executing Court to dispose of the matter in a time bound manner as both sides to a litigation are keen to get their rights crystalized as soon as possible, I deem it just and appropriate to direct the Executing Court to dispose of the petitioner's execution application, in accordance with law, expeditiously but not later than two months from the date of receipt of a certified copy of this order.

If the respondents are aggrieved by the passing of this order, they are at liberty to approach this Court by filing of an appropriate application.

DEEPAK SIBAL)
JUDGE

August 27, 2018
Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No