

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.654 of 2018(O&M)

Date of Decision: 02.02.2018

Ashok Kumar (now deceased)
through his legal representative

... Petitioner

Versus

M/s Pharma and General Distributor & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Naveen Batra, Advocate,
for the petitioner.

RAMENDRA JAIN, J.(Oral)

Learned counsel for the petitioner contends that despite dismissal of objections of the judgment-debtor on 30.10.2015, the executing Court is sitting over the money of the petitioner and is not passing any order either for refund of whole of the auction price deposited by him or for confirmation of sale. In case, auction is not confirmed in favour of the petitioner, he is entitled for refund of the entire auction price, which he has deposited, along with interest, because the decree-holder is using his money since the date of its deposit.

In view of the above, the petitioner is relegated to the executing Court to raise his grievance there with a direction to the executing Court to pass appropriate orders in accordance with law in a shortest possible time.

Petition stands disposed of.

02.02.2018
monika

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No