

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 116

Case No. : C. R. No. 6848 of 2018 (O&M)

Date of Decision : December 06, 2018

|                        |      |             |
|------------------------|------|-------------|
| Bhag Singh and another | .... | Petitioners |
| vs.                    |      |             |
| Tarun Goyal            | .... | Respondent  |

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.**

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Present : Mr. Liaqat Ali, Advocate  
for the petitioners.

Mr. Aayush Gupta, Advocate  
for the respondent.

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**DEEPAK SIBAL, J. (Oral) :**

The present petition has been filed to challenge therein the issuance of conditional warrants against the petitioners by the Civil Judge (Junior Division), Ludhiana (for short – the Executing Court). Conditional warrants had been issued against the petitioners since they had failed to satisfy the decree in favour of the respondent entitling him to recover from the petitioners an amount of Rs.46,00,000/-.

On 10.10.2018, petitioner no. 1 – Bhag Singh had filed his affidavit in which he had stated that in terms of the compromise dated 13.02.2017, arrived at between the parties, he had agreed to pay to the respondent an amount of Rs. 46,00,000/-. It was further deposed that

Rs.10,00,000/- upto 30.11.2018 and the remaining amount in three quarterly instalments.

Relying upon the above affidavit and the statement made by learned counsel for the petitioners that Bhag Singh would deposit an amount of Rs.10,00,000/- upto 30.11.2018 and the remaining amount of Rs.36,00,000/- in three quarterly instalments, notice of motion was issued and interim stay was granted.

Admittedly, no amount has been deposited by the petitioners till date. That being so, since the petitioners have failed to abide by the undertaking given to this Court both through the affidavit filed by them as also the statement made before this Court, there is no option left with this Court but to dismiss this petition on this ground alone.

Dismissed.

( DEEPAK SIBAL )  
JUDGE

**December 06, 2018**

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| <i>Whether speaking/reasoned ?</i> | <i>Yes.</i> |
| <i>Whether reportable ?</i>        | <i>No.</i>  |