

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 7070 of 2017 (O&M)

Date of Decision: 12.11.2018

Sunil Kumar Dahiya

.....Petitioner

Vs.

Jaishree Jain

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Ajay Khanna, Advocate,
for the petitioner.

Mr. Tapan Kumar Yadav, Advocate,
for the respondent.

AMOL RATTAN SINGH, J. (ORAL)

After arguing at length, though learned counsel for the petitioner and learned counsel for the respondent have raised arguments which would eventually need detailed consideration, learned counsel for the petitioner submitting that with the lease deed in question not being a registered sale deed, an amount of Rs. 11,22,0000/- could not have been ordered to be paid by the appellate Court and learned counsel for the respondent however pointing to the order of this Court dated 11.10.2017, directing that an amount of Rs. 68,00,000/- be paid within a period of eight weeks of that order (by which notice of motion was issued), in my opinion, going into the details of the contentions raised may also influence the outcome of the appeals pending before the learned appellate Court (filed by both the petitioner and the respondent herein against the judgment of the trial Court dated 01.09.2016, in Civil Suit No. 77CP CS No. 1800/2015) and therefore, it would be better to dispose of the petition at this stage, with a direction to the

appellate Court to decide the appeals pending before it within a period of two months from today, positively.

It is to be noticed here that the petitioner is stated to be in custody since 30.10.2014, with all his accounts stated to be frozen, though Mr. Yadav has also submitted that in fact the escrow account opened by the petitioner contains only Rs. 3,00,000/- deposited in it, with counsel for the petitioner submitting that actually the petitioner/his company has a large number of accounts other than the escrow account referred to by learned counsel for the respondent.

It is also necessary to notice here that learned counsel for the petitioner has submitted that an amount of Rs. 68,00,000/- could not be deposited (as contended) on account of the fact that the application for defreezing the accounts of the petitioner, as was to be filed before the learned Chief Metropolitan Magistrate, Saket, Delhi, in terms of the order of this Court dated 11.10.2017, has still not been decided.

Without again making any comment whatsoever on that aspect, the petition is disposed of as above.

November 12, 2018
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.