

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

CR No.7912 of 2018

Date of Decision : 21.11.2018

Paramjit Singh

.....Petitioner

Versus

Baljinder Kumar and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Bhavesh Aggarwal, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

Vide the impugned order passed on 24th September, 2018
Sale Warrants of the property of the petitioner/judgment debtor in
MACT Case No.59 of 2016 were ordered to be issued.

2. The petitioner apparently was the driver of the offending
vehicle in the original MACT case and had been arraigned as
respondent No.1. A total compensation of Rs.3,40,000/- along with
interest @ 9% per annum was awarded against the petitioner and
proforma respondent vide the Award dated 1st September, 2016.

3. Submission of Ld. Counsel for the petitioner is that the
petitioner is willing to pay the Compensation awarded along with
admissible interest thereupon, as also the charges/expenses borne by
the Decree Holder so far in the execution proceedings, but needs a few
months' time to pay the requisite amount entirely.

4. Notice need not be issued upon the respondents because such a course would probably result in even more avoidable delay, which may be prejudicial to them.

5. In view of the submission made by Ld. Counsel for the petitioner at this stage, the revision is disposed off with liberty to the petitioner to directly approach the Executing Court and give a Road Map by which he shall pay off all the outstanding dues till the last date of payment by installments latest by 31st May, 2019, and the Ld. Executing Court shall determine the quantum of installments in its own discretion after hearing both sides.

6. It is further directed that in the event of the petitioner being unable to abide by the terms that may thus be imposed upon him, consequences of the execution proceedings against him shall follow forthwith.

7. Operation of the impugned order is stayed till 30th of this month to enable the petitioner to approach the Ld. Executing Court in the meantime.

8. A copy of this order be given to Ld. Counsel for the petitioner under the signature of the Bench Secretary of this Court.

November 21, 2018

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No