

CR No. 8348 of 2018

DECIDED ON: DECEMBER 06, 2018

HARYANA URBAN DEVELOPMENT AUTHORITY & ANOTHER

.....PETITIONERS

VERSUS

LEELA DEVI AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Arvind Seth, Advocate
for the petitioners.

AVNEESH JHINGAN, J (ORAL)

The present civil revision petition has been filed being aggrieved of the order dated 16.11.2018 passed by learned Executing Court-Cum-Additional District Judge, Ambala in the execution proceedings, whereby, an application seeking exemption from personal appearance of Chief Administrator, HUDA was declined and it was ordered that his presence be ensured by issuance of non-bailable warrants.

Learned counsel for the petitioners submits that an execution application was filed for executing the order passed in RFA No. 1846 of 2010. The RFA was decided with bunch of cases, by this Court vide common order dated 05.08.2015. He further submits that the aforesaid order has already been challenged in the Supreme Court, in which notice has been issued and stay has been granted. His only submission is that the executing court should consider the stay granted by the Apex Court, before proceedings further.

The order passed by the Apex Court has to be considered by the executing court. There is no doubt that the executing court, before proceeding further shall consider the interim order passed by the Apex Court.

The civil revision petition is disposed of, accordingly.

DECEMBER 06, 2018
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>