

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 992 of 2019

Indira Deshlehra, W/o. Shri Vinod Deshlehra, Aged About 53 Years,
Resident Of House No. 11, Malviya Nagar Ward, Durg, Tehsil and District
Durg Chhattisgarh.

---- Petitioner

Versus

1. Daljeet Kaur, W/o. Late Ranveer Singh Chhane, Aged About 60 Years,
2. Dalveer Singh, S/o. Late Ranveer Singh Chhane, Aged About 45 Years,
3. Kulvinder Singh, S/o. Late Ranveer Singh Chhane, Aged About 41 Years,
4. Harvinder Singh, S/o. Late Ranveer Singh Chhane, Aged About 36 Years
5. Rajvinder Singh Rehal, W/o. Harpreet Singh Rehal, Aged About 45 years,

All are Resident of House No. 26, Malviya Nagar Ward, Durg, Tehsil
and District Durg Chhattisgarh.

-----Respondents

For Petitioner

: Mr. Ashish Surana, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

20/12/2019

1. This petition has not been filed against any specific order, but it is against the causal approach of the learned Execution Court.
2. It is submitted that the petitioner is decree holder and the judgment and decree in his favour has remained maintained in the S.A.

No.507 of 2016, which has been dismissed by the High Court on 18.07.2019.

3. The execution proceeding is pending before the learned Court below. After a long pendency of the execution case, the respondent has given appearance and raised objection and after decision of the same, the learned Execution Court ordered for issuance of warrant for possession. The respondents have caused obstruction in the execution of the warrant, which is find mentioned in the order dated 09.05.2019 in the execution proceeding. The petitioner then filed an application for execution of the warrant through police help, which was allowed and the petitioner has also paid the expenses for the Police Force. But in the new development, the respondent/ judgment debtor have filed various other applications, which are simply kept pending by the learned Execution Court by granting easy adjournments to the respondents side. The litigation was initiated in the year 2001 and the petitioner has been unable to get the fruits of the litigation till date, therefore, specific direction be issued to the Execution Court for expeditious disposal of the execution case.
4. Perused the order sheets of the Execution Court. It is found that in the subsequent stage, the learned Execution Court has given frequent adjournments. The petitioner/decreed holder has been successful in the litigation up till High Court, should not be kept away from the fruits of the litigation in this manner unless there is some specific lawful reason is present. Therefore, it is a case in which the Execution Court needs to expedite the proceeding and

avoid granting frequent adjournments as has been granted in this case.

5. Hence, this petition is disposed off at motion stage and the learned Execution Court is directed to expedite the execution proceeding and dispose off the same as early as possible preferably within a period of six months.
6. Accordingly, this petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram