

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.2365 of 2007 (O&M)
Date of Order: 22.02.2019

M/s Goyal Electronics and another

..Petitioners

Versus

Narender Mohan Arya and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ajit Lamba, Advocate, for
Mr. Ajay Kumar Dahiya, Advocate,
for the petitioners.

ANIL KSHETARPAL, J(Oral)

Decree Holders are in the revision petition against the order passed by the Executing Court dated 23.01.2007, dismissing the application seeking production of goods (movable property) which according to the petitioners belongs to respondents no.3 and 4 i.e. judgment debtors but in custody of respondents no.1 and 2 on *superdari* during a pending criminal case.

More than 12 years have elapsed since the revision petition was filed in this court. This court is not sure whether the goods are of any commercial worth as on today or not.

Learned counsel for the petitioner is also not in a position to apprise the court about the latest status of the goods. However, he submits that the Executing Court be directed to adjudicate upon as to whether the goods belongs to the judgment debtors or not.

In the considered view of this court, such direction would not prejudice any one. Accordingly, learned Executing Court is directed to adjudicate upon the question as to whether the goods which were taken in custody on *superdari* by respondents no.3 and 4 i.e. Narender Mohan Arya and Rajinder Kumar Verma did belong to the judgment debtors. If the Executing Court comes to such conclusion, the court would proceed with the execution petition.

Revision petition disposed of accordingly.

February 22, 2019
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No