

CR No. 165 of 2016

DECIDED ON: FEBRUARY 25, 2019

HARYANA URBAN DEVELOPMENT AUTHORITY

.....PETITIONER

VERSUS

MITHLESH TYAGI

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vishal Garg, Advocate
for the petitioner.

AVNEESH JHINGAN, J (ORAL)

The present civil revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 13.10.2015 passed by learned Executing Court, Gurgaon (for short 'Executing Court') whereby the warrants of attachment has been issued.

The facts in brief are that a suit for declaration was filed by the respondent/plaintiff to the effect that she is entitled to transfer of property. The said suit was decreed. The petitioner filed an appeal which was also dismissed. The matter was taken up in RSA No. 1345 of 2015. In the meantime, execution application was filed by the respondent-plaintiff and a request for adjournment was made by the petitioner that a regular second appeal is pending in this Court, the said request was declined and the impugned order was passed. Hence, the present civil revision petition is filed.

Learned counsel for the petitioner submits that RSA No. 1345 of 2015 has already been admitted by this Court.

The only request before executing court was to adjourn the matter beyond the date fixed in RSA. The grievance against impugned order, no longer survives.

No interference of this Court is called for in the impugned order and the present petition is rendered infructuous and is disposed of as such.

FEBRUARY 25, 2019
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned ***Yes***
Whether reportable ***No***