

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

**CR No.3696 of 2018(O&M)
Date of Decision: 18.07.2019**

**Bhup Singh and another
Versus
Pirthi**

....Petitioners

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:None.

RAJ MOHAN SINGH, J.(Oral)

[1]. Notice of motion was issued on 30.05.2018 on the premise that the alleged violation on behalf of the petitioner is conspicuously missing with regard to time, place and manner in the execution under Order 21 Rule 32 CPC.

[2]. On the strength of **Narinder Singh Vs. Maya Devi, 1999(1) RCR (Civil) 445**, learned counsel for the petitioners contended that in the execution of a decree for permanent injunction, the judgment debtor can only be sent to civil prison besides attaching property for a particular period. In any eventuality, warrants of possession for delivering the possession in favour of the decree holder with police help cannot be granted. The execution of warrants of possession was stayed as an interim measure. On the adjourned date i.e. 13.08.2018,

none appeared on behalf of the petitioner. As per office report, sole respondent has died. Learned counsel for the petitioners was required to take necessary steps to implead legal representatives of deceased respondent (if any). The case was accordingly adjourned to 15.11.2018. On the adjourned date, the case was further adjourned to 18.03.2019. On 18.03.2019, also none appeared on behalf of the petitioner. No steps were taken by the petitioner to implead legal representatives of deceased respondent.

[3]. Keeping in view the facts and attending circumstances of the case, last opportunity was granted to the petitioner to do the needful in the context of order dated 13.08.2018. The case was adjourned for today. Today also, despite three pass overs, none has come to attend this Court on behalf of the petitioner.

[4]. In view of last opportunity granted on 18.03.2019, this Court has no alternative, but to dismiss this revision petition for non-prosecution. Ordered accordingly.

18.07.2019

Prince

**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No