

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CR-4062-2017 (O&M)

Date of Decision:22.02.2019

Manjit Singh @ Rinku @ Paramjit Singh

....Petitioner

Versus

Baljit Kaur and another

....Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. B.D. Sharma, Advocate for

Mr. Gurcharan Dass, Advocate for the respondents.

AMIT RAWAL, J. (Oral):-

The short point in this case is whether the ex parte judgment and decree dated 02.09.2015 an application under Order 9 Rule 13 CPC read with Section 151 CPC pending adjudication, can the petitioner-judgment debtor permitted to file application for stay of execution proceedings? The answer is “No”. The judgment debtor is to seek interim stay in the pending application filed under Order 9 Rule 13 CPC.

I am of the view that the petitioner is granted permission to move an interim application in the pending application filed under Order 9 Rule 13 CPC and the interim stay granted by this Court vide order dated 11-08-2017, to be continued till such application is filed in the lower Court. In case the petitioner moves an application for interim stay, if not moved,

within a period of one week, the trial Court shall decide the application in accordance with law thereafter. The trial Court is also directed to decide the application preferably within a period of two weeks.

The present Revision Petition is disposed of accordingly.

22.02.2019
anju rani

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No