

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 7208 of 2016(O&M)
Date of Decision: 21.05.2019

Satish Kumar

.....Petitioner

versus

M/s Citicorp, Finance (India) Ltd.Respondent

CORAM HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present Ms. Bhawna Grewal, Advocate
for Mr. S.K.Yadav, Advocate for the petitioner.

AMOL RATTAN SINGH, J (ORAL)

On 08.04.2019, the following order was passed:-

“On July 03, 2017, the following order had been passed on an application bearing CM no.12724-CII of 2017:-

“Prayer in the instant application filed under Section 151 CPC is for staying execution proceedings before the Executing Court for 28.07.2017.

Heard.

As discussed above, the Award dated 10.10.2009 (Annexure P-5) was passed against the applicant-petitioner for ₹4,11,823/- along with interest @ 18% per annum, but the appellant-petitioner has not paid even a single penny during the last 7/8 years. Hence, in the interest of justice, the execution proceedings qua interest part is stayed, subject to depositing of ₹4,11,823/- by the applicant-petitioner before the Executing Court on or before 28.07.2017, failing which this order shall stand automatically cancelled. The learned Executing Court is directed to make endeavor for amicable settlement between the parties qua interest so as to dispose of the execution finally.

CM stands disposed of.”

On the last date of hearing, an adjournment had been sought and thereafter the turn of the case not having come up, today again an

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adjournment is sought, with learned counsel unable to inform this Court whether the order dated July 03, 2017 stands complied with or not.

Consequently, adjourned to 21.05.2019, with the learned executing Court directed to send a report whether ₹4,11,823/- as were directed to be deposited were so deposited or not, and if not, whether the execution proceedings have progressed further.”

The report of the learned Additional District Judge, Rewari, dated 08.05.2019, is on record, stating essentially to the effect that the matter had been settled between the parties for an amount of ₹4,20,000/-, with the entire amount having been paid. It has also been stated in the report that counsel for the petitioner herein, as also the petitioner himself, had stated that the counsel in the High Court had been requested to withdraw the instant civil revision.

Ms. Bhawna Grewal, Advocate, appearing for petitioner today, also does not dispute the fact that the petition has been rendered infructuous.

Disposed of as such.

21.05.2019
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(AMOL RATTAN SINGH)
JUDGE

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