

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 230

CR-7797-2018

Date of decision : 05.11.2019

Rajinder Kumar

..... Petitioner

VERSUS

Kamla Devi

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vinod Gupta, Advocate, for the petitioner.

Mr. Parveen Sharma, Advocate, for the respondent.

DEEPAK SIBAL, J. (ORAL)

The present petition is directed against the order dated 14.11.2018, passed by the Additional Civil Judge (Senior Division), Guhla (for short, the Executing Court), through which the petitioner/judgment debtor was directed to be put in civil imprisonment. Such order was passed after the Executing Court was satisfied that the petitioner had failed to comply with the *ex parte* judgment and decree of the Trial Court dated 24.12.2014, passed in favour of the respondent/decree holder.

Learned counsel for the petitioner submits that the petitioner had filed an application under Order 9 Rule 13 CPC seeking therein to set aside the aforesaid judgment and decree of the Trial Court dated 24.12.2014. Such application was dismissed by the Trial Court and the appeal filed by the petitioner against such dismissal was also dismissed. The petitioner then approached this Court by filing a revision petition being CR-8259-2018 “*M/s Rameshwar Dass Rajinder Kumar vs Baso Ram since deceased through LRs and another*”, in which notice of motion has been issued and interim stay with regard to proceedings before the Executing Court has been granted and in view of such development the present petition has been rendered infructuous.

Learned counsel for the respondent does not deny the above submission made by learned counsel for the petitioner.

In view of the above, the present petition is disposed of as having been rendered infructuous.

05.11.2019

shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No