

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.8173 of 2018 (O&M)
Date of decision:20.3.2019

Ved Parkash

... Petitioner

Vs.

Ramesh Kumar

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Ms. Monita Mehta, Advocate
for the petitioner.

Mr. Gagandeep Singh Manku, Advocate
for the respondent.

AMIT RAWAL J. (Oral)

Learned counsel for the petitioner submitted that in pursuance to the order dated 08.01.2019, petitioner has deposited a sum of Rs.5.00 lakhs vide receipt no.1909 and deposit order no.1770 dated 21.01.2019 and therefore, entire decree has been satisfied. A copy of the receipt has been produced in Court which has been taken on record.

Learned counsel for the decree holder submitted that he may be permitted to withdraw the aforementioned amount.

Keeping in view the aforementioned fact, the petitioner-judgment debtor has already satisfied the decree and no amount is due towards him, learned counsel for the respondent-plaintiff undertakes to withdraw the execution application.

Liberty is granted to the respondent-decree holder to withdraw the amount deposited by the petitioner.

Learned counsel for the respondent expressed apprehension with regard to interference in his possession.

Ms. Monita Mehta, Advocate has drawn the attention of this Court to the affidavit wherein effective undertaking qua non-interference in the possession of the respondent-decree holder had been given. In view of this, the revision petition is disposed of by setting aside the impugned order in terms of the aforementioned observations and directions as well as to the fact that no cause of action survives against decree holder seeking execution.

(AMIT RAWAL)
JUDGE

March 20, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No