

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 8441 of 2017

Date of Decision: 29.04.2019

Ramla Devi

.....Petitioner

Vs.

Gurvinder Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Varun Mittal, Advocate, for the petitioner.

Mr. Sanjay Tangri, Advocate, for respondent no. 1.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner has challenged the order of the learned execution Court dated 25.05.2017 (copy Annexure P-1), by which, on account of non-filing of a reply to the objections filed by respondent no. 1 herein, it was held that the decree-holder is not interested in contesting the said objections, with it further being directed that a list of the properties of the judgment-debtors, excluding the property claimed by the first respondent herein, be filed.

Having considered the matter, though learned counsel appearing for respondent no. 1 would otherwise not be incorrect in stating that the impugned order does not deserve to be interfered with, the petitioner not having even bothered to even file a reply to the objections, in my opinion, counsel for the petitioner having assured that the petitioner would file such reply with three weeks, this petition can be allowed subject to payment of costs to the first respondent herein.

Consequently, the petition is allowed, with one opportunity granted to the petitioner to file a reply to the objections filed by respondent no. 1 herein, subject to payment of costs of Rs. 10,000/- to him.

The reply therefore be filed within three weeks, along with the costs of Rs. 10,000/-.

April 29, 2019
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.