

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-2744-2019(O&M)

Date of decision:-29.4.2019

Guru Nanak Rice Mills and another

...Petitioners

Versus

Punjab Civil Supplies Corporation and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Mukand Gupta, Advocate
for the petitioners.

H.S. MADAAN, J.(ORAL)

Arbitration proceedings between Punjab Civil Supplies Corporation on one side and Guru Nanak Rice Mills, VPO Pandori, Nakodar etc. on other side culminated in an award dated 29.10.2013 in favour of Punjab Civil Supplies Corporation. For execution of the said award for recovery of Rs.27,15,352/-, the decree holder had filed an execution application wherein warrants of attachment of property of respondents – JDs were issued. The said property was attached. An application under Order 21 Rule 66 CPC was filed, notice of which was given to respondents-JDs; respondents No.1 and 4 had appeared and filed reply to the application under Order 21 Rule 66 CPC raising objections,

which were dismissed by the Executing Court vide detailed order dated 22.2.2019.

Respondents-JDs No.1 and 4 are aggrieved by the said order and have approached this Court by way of filing the revision petition.

I have gone through the record especially the impugned order besides hearing learned counsel for the petitioners-objectors. Learned counsel for the petitioners had mainly contended that the property was already mortgaged by the petitioners/objectors with a bank, which in turn had sold it.

The mortgagee bank or its transferee have admittedly not approached the Executing Court raising any objection. The objections raised by petitioners/objectors have rightly been rejected by the executing Court. I find that the order is quite detailed containing proper reasoning. It does not suffer from any illegality or infirmity much less the same being apparent on the face of the order.

Thus, finding no merit in the civil revision petition, the same stands dismissed.

29.4.2019
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No