

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

CR No.6253 of 2019

Date of Decision:01.11.2019

NIRANJAN SINGH (DECEASED) TH. LRS AND ANOTHER

...Petitioners

Versus

BALJIT SINGH AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. S.K. Arora, Advocate
for the petitioners.

Ms.Kamaldeep Kaur, Advocate for
Mr. Sumanpreet Aulukh, Advocate
for respondent No.1.

DEEPAK SIBAL, J. (ORAL)

On 03.10.2019, learned counsel for the petitioners, on instructions from the petitioners, had submitted that the petitioners were willing to pay the entire due decretal amount of ₹10,25,000/- to respondent No.1 and that they would bring a demand draft for such amount on the next date of hearing. Relying upon the afore-referred statement, notice to respondent No.1 for 30.10.2019 was issued and proceedings before the Executing Court were also stayed. However, on 30.10.2019, no demand draft for the aforesaid amount was produced and learned counsel for the petitioners submitted that his clients were on their way to the High Court. He prayed for some more time to be granted to him

to produce the aforesaid amount through a demand draft. His prayer was accepted and the matter was adjourned for today. Today also, the afore-referred undertaking on behalf of the petitioners has not been complied with. Apparently, the petitioners have back tracked from their statement.

In view of the above development, this Court is left with no option but to dismiss the present case with costs of ₹25,000/- to be paid to respondent No.1.

(DEEPAK SIBAL)

JUDGE

November 01, 2019

Jyoti-1 Whether speaking/reasoned Yes/No Whether Reportable Yes/No