

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

108

CR No.7529 of 2019
Date of Decision: 06.12.2019

Mangal Singh

..... Petitioner

Versus

Gian Chand and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Manmeet Singh Rana, Advocate
for the petitioner/third party objector.

LALIT BATRA, J (ORAL)

Learned counsel for the petitioner/third party objector (Mangal Singh), at the very outset, submits that application dated 29.07.2019 seeking recall, revocation, rescission, annulment and setting aside of order of warrant of attachment and all other subsequent, incidental and consequential proceedings including sale proceedings with regard to property detailed and described in the body of application, as the said property is not liable to be put to restraint/encumbrance etc. to discharge the alleged obligation of judgment-debtor/Sewa Singh, has already been moved at the instance of petitioner/third party objector before the Executing Court. He further urges that execution petition has been adjourned several times for arguments on above said application, as is evident from miscellaneous/zimni orders dated 16.10.2019, 23.10.2019 and 24.10.2019 of Executing Court. He further submits that without disposing of said application, Executing Court has straightaway ordered for sale of property in question, as is evident from

miscellaneous/zimni order dated 06.11.2019.

In view of above, instant civil revision petition is disposed of in the manner that Executing Court is required to dispose of application dated 29.07.2019 at first instance and then to proceed further in accordance with law. It is ordered that till the disposal of application dated 29.07.2019, as detailed above, execution proceedings shall be kept in abeyance.

Disposed of accordingly.

06.12.2019

D.Bansal

**(LALIT BATRA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No