

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCF No. 155 of 2020
Date of Decision: 15.01.2020

M/s Mohinder Singh and Company

...Petitioner

VERSUS

Ravinderjit Singh Bajwa, Civil Judge (Senior Division), Amritsar

...Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

Heard.

Petitioner seeks initiation of contempt proceedings against Civil Judge (Sr. Division), Amritsar for non-compliance of order dated 29.01.2019 passed in CR-653-2019, whereby directions were issued to the Court as follows:-

“5. As such, without issuing any notice upon the Judgment Debtors, the present petition is disposed off at this stage with a direction upon the ld. Executing Court to decide the applications pending before it, as expeditiously as possible, and preferably within three months from the date of communication of this order.”

On perusal of interim orders reproduced in the petition, I find that some amount was deposited by Judgment Debtor in the year 1988 with State Bank of India, Cantonment Branch, Amritsar in the shape of fixed deposit. Learned Civil Judge (Sr. Division) has been calling the bank official(s) time and again to supply the particulars of fixed deposit as the

same appears to have not been supplied either by decree-holder or by the judgment-debtor. Till date particulars have not come on record. It is evident that learned Civil Judge (Sr. Division) is taking all steps to implement order dated 29.01.2019 passed by this Court but no order could be passed by him in the absence of particulars of deposit by J.D.

Keeping in view above facts, I find no reason to initiate contempt proceedings against the respondent, judicial officer.

This petition is disposed of with direction to petitioner to make attempts to find the particulars of the fixed deposit of the decretal amount from the Court record (Sheriffs Petty Account) or the bank. It is a case where a period of about 31/32 years has lapsed after the deposit of the amount and on behalf of bank, it was earlier represented that no record of the deposit is available with it. Executing Court will take assistance from Court record of deposit of said amount, if available, of judgment-debtor, bank official and petitioner as well and initiate required action in the matter at the earliest.

January 15, 2020

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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No