

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

CR-4865-2015(O&M)

Date of decision: 23.01.2020

Vishal Sharma

.....Petitioner

Versus

M/s Electronica Tough Carb Limited

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Vipul Bishnoi, Advocate for
Mr. B.S.Sudan, Advocate for the petitioner

Mr. Rahul Deswal, Advocate for the respondent

ANIL KSHETARPAL, J. (ORAL)

Challenge is to the orders dated 15.12.2012, 14.5.2015 and 7.7.2015 passed by the Executing Court. An ex parte decree has been passed by the Civil Court at Nasik on 18.6.2011. The petitioner/judgment-debtor has filed an application for setting aside ex parte decree which is stated to be pending at Nasik. For the purpose of execution, the decree was transferred to Court at Gurugram. The Court at Gurugram is proceeding with the execution petition.

Learned counsel for the petitioner submits that the application for stay of execution during the proceedings under Order 9 Rule 13 CPC for setting aside ex parte decree is pending before the Court at Nasik. He submits that inspite thereof, the Executing Court at Gurugram is proceeding with the execution petition.

Keeping in view the facts of the case, petitioner is granted

two months time to request the Civil Court at Nasik to consider and decide the application for stay which is stated to be pending.

Disposed of.

23.01.2020	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No