

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

CR No. 6845 of 2017

Date of Decision: 20.01.2020

M/s Kotak Mahindra Bank Ltd.

....Petitioner

Versus

Nirmal Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.K.Dhiman, Advocate
 for the petitioner.

Ms. Kuldeep Kaur, Advocate for
Mr. Arvind Kashyap, Advocate
for respondent No. 1.

ANIL KSHETARPAL, J. (ORAL)

The judgment debtor has filed revision petition against orders dated 04.01.2015 and 04.05.2015.

By order dated 04.05.2015, judgment debtor was directed to be sent to civil imprisonment for a period of two months on account of non compliance of the decree passed i.e. non issuance of 'No Objection Certificate' in favour of the decree holder. On 04.10.2017, while issuing notice of motion, this Court noted that there is delay of almost 9 months in complying with the decree dated 14.08.2014. Therefore, the petitioner was directed to deposit cost of Rs. 20,000/- before the District Legal Services Authority, Fatehgarh Sahib.

Learned counsel for the parties do not dispute that 'No Objection Certificate' as required by the decree has been issued to the decree holder. Learned counsel appearing for decree holder submits that since there was delay of 9 months in issuing 'No Objection Certificate' with respect to three trucks, therefore, decree holder should be compensated.

Keeping in view the facts of the case, this Court is of the opinion that the order of imprisonment passed by the learned Executing Court is required to be substituted by appropriate cost payable by the judgment debtor to the decree holder. The cost is determined at Rs. 50,000/-. The cost be deposited to the decree holder by way of bank draft within a period of one month.

Petition disposed of.

(ANIL KSHETARPAL)
JUDGE

20.01.2020
Maninder

Whether speaking/reasoned	:	Yes
Whether reportable	:	No