

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

CR-2687-2020 (O&M)

Date of decision: 21.12.2020

Vinod Kumar Malhotra

...Petitioner

Versus

Baldev Raj Tandon

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None.

ANIL KSHETARPAL, J. (ORAL)

Learned counsel for the petitioner has not come forward to attend the hearing even after the matter was passed over in the Ist round.

This court has carefully examined the file. The Judgment Debtor has filed this revision petition against the order passed by the Executing Court. There is a decree for recovery of Rs.5,00,000/- alongwith interest against him. The first appeal against the aforesaid judgment is pending in which no stay has been granted. In the execution petition also, the petitioner was ex parte which was subsequently set aside by the Executing Court.

Keeping in view the decree passed, the executing court has ordered recovery from the petitioner's salary. In absence of the any injunction, the executing court is bound to proceed with the petition.

Hence, no ground to interfere. Accordingly, the revision petition is dismissed. However, the petitioner shall be at liberty to move an application before the First Appellate Court either for grant of injunction against recovery or for disposal of the pending appeal.

21.12.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No