

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

CR-6398-2019 (O&M)
Date of Decision:-26.8.2020

USHA GUPTA

... Petitioner

Versus

CHHOTE LAL PANDIT AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Shivya Sehgal, Advocate
for the petitioner.

Mr. Gagandeep Singh, Advocate
for respondent No.1.

(Proceedings conducted through video conferencing).

GURVINDER SINGH GILL, J. (Oral)

CM-7330-CII-2020

Allowed as prayed for subject to all just exceptions.

CM-7331-CII-2020

In view of the reasons mentioned in the application, the same is allowed and the matter is taken on board today itself.

Main Case

1. The petitioner seeks issuance of a direction to executing Court to decide the objections filed by respondent No.3-Rajnish Jain under Order 21 Rule 58 CPC. Another prayer has been made to direct the executing Court to decide the execution application which is stated to be pending since the last about 7 years. Vide order dated 14.10.2019, the trial Court had been directed to

submit a status report which has been received, as per which the objections filed by respondent No.3 stands disposed of. In these circumstances the first prayer of the petitioner as regards disposal of objections filed by respondent No.3 is rendered infructuous.

2. As regards the second prayer of the petitioner regarding issuance of direction to the executing Court to decide the execution application which is stated to be pending for the last 7 years pertaining to execution of decree dated 18.12.2012, this Court finds that there has been gross delay in disposal of the execution application, particularly keeping in view the fact that the petitioner is stated to be a Senior Citizen. However at the same time this Court also cannot lose sight of the fact that the working of the Courts has been seriously affected on account of spread of pandemic COVID-19 and there has been skeletal functioning only of the Courts. As such, at this stage, this Court would not like to issue any such direction for time bound disposal of the execution application. However, at the same time, in case the Executing Court feels that it can safely proceed with the application while adhering to all the safeguards as have been prescribed by the Health Authorities, it shall be open to it to consider doing the needful.
3. The petition stands disposed of accordingly.

(GURVINDER SINGH GILL)
JUDGE

26.8.2020
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No