

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 6686 of 2019

Date of Decision: 5.3.2020

Jagir Singh

...Petitioner

Vs.

Subhash Chander

...Respondent

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Amit Mehta, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. The previous order has been complied with. Site plan has been produced and perused. Photographs have been handed over by the counsel for viewing the site. One can see a cattle shed, cattle fodder storage room and a tipper truck parked belonging to the petitioner.

2. This petition is an abuse of process of law to deprive the decree-holder of his money. Section 60 (1) (ccc) does not seem to protect the debt of Rs. 2,22,000/- to save the property and the land from execution process where cattle are tethered and there are open spaces for storage of fodder and a water trough. If the petitioner owns the Tipper worth lacs of rupees and the vacant space where the cattle are tethered, then I am not inclined to interfere in the exercise of jurisdiction under Article 227 of the Constitution of India which is meant only to keep the Courts and Tribunals within the bounds of their jurisdiction. There is nothing wrong with the order. There is a moral

dimension to the debt in today's age which was hardly imaginable when
Section 60 (1) (ccc) was introduced in the Code of Civil Procedure.

3. No merit. Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

5.3.2020
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No