

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(110)

C.R. NO.1253 of 2021

Date of decision: 06.07.2021

M/s Annapurna Trading Company Ghagga

...Petitioner

Versus

Jarnail Singh

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ramandeep, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that the application filed by the petitioner under Order 38 Rule 5 read with Section 151 CPC for attaching the property was dismissed by the Civil Judge, Junior Division, Samana vide order dated 07.04.2021 (Annexure P/4) on the ground that the petitioner has failed to place on record any material so as to prove the averment that the respondent is going to dispose of the property which was sought to be attached. Learned counsel for the petitioner further submits that immediately after passing of the said order, on 20.04.2021 the respondent has transferred his property in the name of his wife so as to avoid the liability and, therefore, the petitioner be allowed to withdraw the present petition with liberty to approach the Civil Court keeping in view the facts,

which have emerged after passing of the order dated 07.04.2021 (Annexure P/4) by way of filing appropriate application once again.

Dismissed as withdrawn with liberty as prayed for.

July, 06, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No