

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

124

**CR-1730-2021(O&M)
Date of Order: 27.08.2021**

SAI EDUCATION SOCIETY AND ORS

..Petitioners

Versus

M/S JAI DURGA ELECTRIC STORE

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Drupad Sangwan, Advocate
for the petitioners.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner (judgment debtor) assails the correctness of orders passed by the Executing Court on 18.10.2019 and 07.11.2019, respectively. There is a decree for recovery of Rs.12,08,289/- passed on 12.03.2018 against the petitioner.

Learned counsel representing the petitioner contends that an application under Order 9 Rule 13 CPC is pending.

In the first round when the case was taken up, learned counsel representing the petitioner was requested to inquire whether any interim order/stay has been applied for or passed in the proceedings under Order 9 Rule 13 CPC.

The case was passed over.

Now, in the second round, learned counsel submits that he is unable to furnish any related information.

Once there is a decree, the Executing Court is required to proceed with the matter.

The petitioner can always file an application in the proceedings under Order 9 Rule 13 CPC for stay of the execution application.

As and when such application is filed, the Court would decide the same in accordance with law.

With these observation, the revision petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

August 27, 2021

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No