

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 3343 of 2021

Date of Decision: 16.12.2021

M/s Vijay Kumar Garg

... Petitioner(s)

Versus

Union of India

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. P.S.Rana, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The judgment debtor assails the correctness of the order dated 16.11.2021, passed by the Executing Court. It is evident that the Arbitrator has passed an *ex parte* award in favour of the respondent, on 29.05.1999, under the provisions of the Arbitration Act, 1940. On an application of the decree holder, the award, passed by the Arbitrator, was made Rule of the Court on 11.02.2014. The aforesaid order was affirmed in appeal.

2. The petitioner claims that a revision petition is pending before the High Court, however, no interim protection has been granted. In the execution petition, he has been directed to pay ₹2,19,43,549/-. The petitioner herein has himself filed a calculation sheet admitting his liability to the tune of ₹2,10,36,853/-. On a Court question, the learned counsel has declined to grab an offer of payment of ₹2,10,36,853/-. The amount, himself, admitted by the petitioner. The Executing Court has already observed that the petitioner should first discharge his liability.

3. The learned counsel representing the petitioner contends that a revision petition against the order making the award, the Rule of the Court is pending. The learned counsel has failed to draw the attention of the Court to any interim protection granted in the aforesaid petition.

4. Hence, no ground is made out to interfere. Consequently, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

December 16, 2021

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No