

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

106

**CR-3366 of 2018(O&M)
Date of Order: 02.06.2022**

Umesh Kumar and another

..Petitioners

Versus

Punjab State Electricity Board (now known as Punjab State Power Corporation Limited) and others

..Respondents

CR-6292 of 2018(O&M)

Umesh Kumar and another

..Petitioners

Versus

Punjab State Electricity Board (now known as Punjab State Power Corporation Limited) and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aalok Jagga, Advocate, for the petitioners.

Mr. Kshitij Sharma, Advocate,
for respondent no.1(in CR-3366-2018).

Mr. Parminder Singh, Advocate
for respondent no.1(in CR-6292-2018)

ANIL KSHETARPAL, J(Oral)

C.M.No.10355-CII-2018 in CR-3366-2018

For the reasons mentioned in the application, which is supported by an affidavit, the application is allowed, subject to all just exceptions. The legal representatives of deceased defendant no.3-Brijesh Kumar mentioned in paragraph 2 of the application are brought on record for the purpose of defending this appeal only.

The office is directed to carry out necessary corrections in the memorandum of parties.

C.M.No.20278-CII-2018 in CR-6292-2018

For the reasons mentioned in the application, which is supported by an affidavit, the application is allowed, subject to all just exceptions. The legal representatives of deceased defendant no.3-Brijesh Kumar mentioned in paragraph 2 of the application are brought on record for the purpose of defending this appeal only.

The office is directed to carry out the necessary corrections in the memorandum of parties.

MAIN

Admittedly, the petitioners have failed to honour the judgment and decree passed on 06.03.2012, in a recovery suit.

The learned counsel representing the petitioners while drawing the attention of the Court to order dated 18.04.2018, submits that the Court has already made up its mind to punish the petitioners with the simple imprisonment. He submits that the petitioners would appear before the Executing Court and the Court should be directed to pass fresh orders after considering all aspects of the matter.

The learned counsels representing the respondents have no objection.

Keeping in view the aforesaid facts, both the revision petitions are disposed of while directing the Executing Court to pass a fresh order after considering the reasons, if any, furnished by the petitioners for not sending them to civil imprisonment.

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

June 02, 2022

(ANIL KSHETARPAL)
JUDGE

nt

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