

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

108

CR-5612-2016 (O&M)
Date of decision: 16.09.2022

ATMA RAM

..Petitioner

Versus

SATISH KUMAR

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajesh Narang, Advocate, for the petitioner.
Mr. Sandeep Jasuja, Advocate, for the respondent.

ANIL KSHETARPAL, J(Oral)

On 31.08.2016, the following order was passed:-

“The present petition has been directed against the orders dated 22.07.2016 (Annexure P-1) vide which the objections filed by the petitioner/judgment debtor have been dismissed and order dated 01.08.2016 (Annexure P-2) whereby the conditional warrant of arrest of the petitioner/judgment debtor has been ordered to be issued for realization of the decretal amount.

Heard.

No ground for interference in order dated 22.07.2016 (Annexure P-1) is made out.

Counsel for the petitioner would contend that before ordering issuance of conditional warrants of arrest against the petitioner, neither any show cause notice providing him an opportunity as to why he should not be committed to the civil prison has been issued nor the executing Court has recorded its satisfaction that the judgment debtor is likely to abscond or leave the local limits of jurisdiction of the Court.

Notice of motion for 19.10.2016 only qua order dated 01.08.2016 (Annexure P-2).

In the meantime, arrest of the petitioner shall remain stayed in case, he deposits 50% of the outstanding amount (decretal amount) within a period of 15 days with executing Court. On failure to make necessary deposit, the stay granted by this Court would stand automatically vacated.”

This revision petition has remained pending in this court.

As per the learned counsel representing the petitioner, he has deposited 50% of the outstanding amount in the Executing Court, as undertaken.

Sh. Jasuja, the learned counsel representing the decree holder states that the execution petition already stands withdrawn.

In view of the aforesaid, the revision petition is disposed of as infructuous.

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

September 16, 2022

(ANIL KSHETARPAL)
JUDGE

nt

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>