

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

120

CR-6754 of 2017 (O&M)
Date of decision: 29.10.2022

Sandeep Singh @ Sippa

..Petitioner

Versus

Jaswinder Kaur and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sherry K. Singla, Advocate, for the petitioner.

ANIL KSHETARPAL, J(Oral)

The petitioner herein is a judgment debtor. In an automobile accident, late Sh. Gurmail Singh lost his precious life. His dependents filed a claim petition under Section 166 of the Motor Vehicles Act, 1988 which was allowed by the Motor Accidents Claims Tribunal, Rupnagar, on 09.04.2013.

The petitioner herein is the driver of the Car bearing Registration No.HR-31-E-0003 which caused the accident. As per the award, the petitioner as well as the owner of the vehicle were held liable to pay the amount jointly and severally. The petitioner claims that he is prepared to disclose his entire property and has no objection if the same is/are sold. However, he submits that the court has wrongly passed the order of civil imprisonment, at the first instance.

This revision petition is pending for the last 5 years. Though, respondent no.1 to 4, the claimants, were initially represented but now their counsel has chosen to remain absent.

Keeping in view the aforesaid facts, let the petitioner file an affidavit before the Executing Court disclosing his assets. It may be noted

here that the learned counsel representing the petitioner contends that the owner of the vehicle, namely, Sh. Ranjit Singh has many properties besides being a government employee.

Keeping in view the aforesaid facts, let the petitioner file affidavit in this regard within a period of 15 days, from today. On his doing so, the Court shall proceed in accordance with law.

The order dated 16.09.2017, directing civil imprisonment of the petitioner is set aside for the time being. However, the Executing Court shall be at liberty to form its opinion after evaluating the conduct of the petitioner.

Disposed of accordingly.

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

October 29, 2022

(ANIL KSHETARPAL)
JUDGE

nt

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*