

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

CR-1559-2022 (O&M)

Date of Decision: 28.04.2022

M/S INTEC CAPITAL LIMITED

... Petitioners

Versus

M/S SAMGUL GRAPHICS AND PRINTERS ETC. AND ORS

... Respondents

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present : Mr. Suneet Singh Deol, Advocate
for the petitioner.

LISA GILL, J.(Oral)

Prayer in this revision petition is for directing expeditious disposal of execution petition number Ex. No. 1707/2017 titled as “ Intec Capital Limited Vs. M/s Samgul Graphics and Printers and Others” pending before the learned Additional District Judge, U.T. Chandigarh, in a time bound manner.

Petitioner is stated to be a Non-Banking Financial Company incorporated under the provisions of the Companies Act, 1956. It is submitted that Award dated 29.06.2015 was passed by the sole Arbitrator on the basis of consensus arrived at between the petitioner and respondents.

Despite passing of Award dated 29.06.2015, respondents acted in contravention to the terms agreed between the parties. Therefore, petitioner was constrained to file Execution Petition bearing No. 1707/2017 before the Additional District Judge, U. T., Chandigarh.

Learned counsel for the petitioner submits that respondents were initially proceeded ex parte as they had not appeared before the learned Executing Court. Thereafter, their application for setting aside exparte proceedings was allowed on 22.03.2018. However, respondents have been consistently trying to frustrate the proceedings in one way or another, by moving frivolous applications etc., by taking time on the pretext of setting the matter and in the meanwhile they have been successful

in disposing of their assets wherefrom arose the need to file an application by the petitioner, seeking attachment of their bank accounts etc. However, substantial assets have been alienated. Learned counsel for the petitioner, thus, prays that this petition may be allowed and direction be issued to learned Executing Court to decide the matter in a time bound manner.

Having heard learned counsel for the petitioner, I do not find it expedient, at this stage, to issue any specific direction for disposal of the matter in a time bound manner. Learned Executing Court being conscious of the nature of proceedings needless to say, shall adjudicate the matter in accordance with provisions of law and guidelines laid down by the Hon'ble Supreme Court in case '*Rahul S. Shah versus Jinendra Kumar Gandhi and Others*', 2021 (2) R. C. R. (Civil) 854.

Revision petition is disposed of accordingly.

(LISA GILL)
JUDGE

28.04.2022
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Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No