

**CM-9373-CWP-2022 in/and CWP-13389-2021 (O&M) along with
CWP-16119-2021 (O&M)**

-1-

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

Sr. No.112+280

Date of Decision: 06.07.2022

**1) CM-9373-CWP-2022 in/and
CWP-13389-2021 (O&M)**

Meetinder Singh Mann and another

.... Petitioners

Versus

State Consumer Disputes Redressal Commission,
Punjab, Chandigarh and others

... Respondents

2) CWP-16119-2021 (O&M)

Meetinder Singh Mann and another

.... Petitioners

Versus

State Consumer Disputes Redressal Commission,
Punjab, Chandigarh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Kuthiala, Advocate
for the petitioners.

Mr. Navdeep Chhabra, DAG, Punjab.

None for respondent No.3.

Mr. Ashok Kumar Sama, Advocate
for respondent No.4 in CWP No.13389 of 2021.

Mr. Dheeraj Mahajan, Advocate
for respondent No.4 in CWP No.16119 of 2021.

HARSIMRAN SINGH SETHI, J. (ORAL)

**CM-9373-CWP-2022 in
CWP-13389-2021**

Prayer in the present application is for placing on record the

**CM-9373-CWP-2022 in/and CWP-13389-2021 (O&M) along with
CWP-16119-2021 (O&M)**

-2-

replication to written statement filed on behalf of respondent No.1.

Application is allowed and the said replication is taken on record.

CWP-13389-2021 (O&M)

By this common order, two petitions, details of which have been given above, shall be disposed of. For the purpose of passing this order, the facts are being taken from CWP No.13389 of 2021.

In the present petition, the order impugned are dated 30.03.2021 (Annexure P-4), by whichailable warrants were issued against the petitioners to secure their presence as well as the order dated 10.05.2021 (Annexure P-5) summoning the petitioners for execution proceedings, who were judgment debtors No.2 and 3 in the execution proceedings under Execution Application No.232 of 2020, pending before Punjab State Consumer Redressal Commission, Chandigarh.

While issuing notice of motion, as the petitioners had undertaken before this Court to appear before the Executing Court, the order was passed in favour of the petitioners that no coercive action will be taken against the petitioners in respect of the impugned orders dated 30.03.2021 and 10.05.2021 (Annexures P-4 and P-5 respectively).

Learned counsel for the respondents submits that the petitioners have already appeared in the execution proceedings and are participating in the execution proceedings, hence, the present petition has been rendered infructuous as the impugned orders (Annexures P-4 and P-5) were only passed to secure the presence of the petitioners, which now has already been secured.

Learned counsel for the petitioners submits that the petitioners have an objection with regard to the maintainability of the execution petition itself qua the petitioners.

The said question will be decided by the Executing Court only and not by this Court in the present petition as the prayer in the present petition is only qua the summoning of the petitioners through bailable/non-bailable warrants. In case, the petitioners are aggrieved against any order passed in the execution petition by the Executing Court, they will be at liberty to avail appropriate remedy available to them.

Keeping in view the above, no further orders are required to be passed in the present petition and the same is disposed of as such.

As the main petition stands disposed of, no orders are required to be passed in the miscellaneous applications as well.

A photocopy of this order be placed on the connected file.

(HARSIMRAN SINGH SETHI)
JUDGE

06.07.2022
Maninder

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