

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 2197 of 2021 (O&M)

Date of Decision: 29.09.2022

Sagar Singh

... Petitioner(s)

Versus

M/s Bindal Smelting Pvt. Ltd. and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. R.S.Mamli, Advocate
for the petitioner(s).

Mr. Amit Tewari, Advocate
for the respondent No.1 with Ms. Komal Gupta,
A.R. of the company.

Anil Kshetarpal, J.

1. The petitioner herein is a judgment debtor. Pursuant to the order passed by the Executing Court, he has already suffered incarceration for a period of around 20 days in the civil imprisonment. The petitioner is stated to be the owner of the immovable property located in Khewat No. 567, Revenue Estate of village Darra Khurd, Tehsil Thanesar, District Kurukshetra.

2. The learned counsel representing the petitioner has no objection if the Executing Court, in order to satisfy the decree through Court, auctions the appropriate portion of the property.

3. Keeping in view the aforesaid facts, the impugned order dated 15.09.2021, passed by the Executing Court sending the petitioner to civil imprisonment is set aside while allowing the revision petition. The

Executing Court is directed to proceed with the execution petition by auctioning an appropriate portion of the property to satisfy the decree.

4. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

September 29, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No