

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CR-5888 of 2019 (O&M)
Date of Order: 28.04.2022

M/s BCH Electric Ltd.

..Petitioner

Versus

Virender Magu

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. V.K.Jindal, Sr. Advocate, with
Mr. Gopal Soni, Advocate and
Mr. Akshay Jindal, Advocate
for the petitioner.

Mr. Harsh Aggarwal, Advocate
for the respondent.

ANIL KSHETARPAL, J(Oral)

In an execution petition, the Executing Court has passed an interlocutory order, which is the subject matter of challenge in the present revision petition. The dispute is with regard to the calculation of the amount of interest.

It has been brought to the notice of the Court that the correctness of the decree is being examined by the Supreme Court in **M/s Bhartia Cutler Hammer Ltd. (Now known as M/s BCH Electric Ltd.) vs. Virender Magu and another(Special Leave Petition (Civil) Diary No.(s).20622 of 2020**, the Supreme court has passed the following order:-

“Upon hearing the counsel the court made the following issue notice on the application for condonation of delay as well as on the special leave petition.

Mr. Rakesh Khanna, learned senior counsel appearing for the petitioner submits that the petitioner has deposited an amount of Rs.1.25 crores in the Executing court. The Executing Court is directed to release Rs.25 lakhs to the respondent immediately.

*In the meanwhile, further execution proceedings shall remain stayed.
List after four weeks.”*

It is evident that further execution proceedings have been stayed subject to deposit of Rs.1.25 Crores. It has been directed that the plaintiff shall be released an amount of Rs.25,00,000/-

Keeping in view the aforesaid facts, the revision petition is disposed of while granting liberty to the parties to file a fresh application, if required, before the Executing Court after the matter is decided by the Supreme Court.

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

April 28, 2022

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(ANIL KSHETARPAL)
JUDGE

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