

Vipin Kumar

...Petitioner

Vs.

New India Assurance Company Ltd.

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Kotla, Advocate for the petitioner.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Article 227 Constitution of India for setting aside the impugned order dated 19.07.2022 passed by Additional District Judge, Jhajjar, whereby the petitioner was proceeded against *ex-parte*, in execution proceedings arising from *ex-parte* award dated 30.03.2015.

Learned counsel for the petitioner has argued that though the award under execution was passed *ex-parte* but during the execution proceedings, the petitioner was represented by his counsel. He states that as the counsel had expired, therefore, nobody appeared on his behalf and the Executing Court erroneously proceeded against him *ex-parte*.

During the course of hearing, it is not disputed by Mr. Kotla, learned counsel that against the impugned order, alternative remedy is available with the petitioner, thus, this Court is not inclined to exercise the superintendence powers under Article 227 Constitution of India.

Dismissed.

**(MANOJ BAJAJ)
JUDGE****21.11.2022**

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Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No