

S. No.111

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

**CR No.5640 of 2022 (O&M)
Date of Decision:06.12.2022**

**Manpreet Singh
Vs.
Jagtar Singh**

**.....Petitioner

.....Respondent**

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ramandeep Singh, Advocate for the petitioner.

DEEPAK GUPTA, J.

Suit of the plaintiff (now respondent) for recovery of Rs.1,73,438/- was ex parte decreed on 05.05.2014. Application under Order 9 Rule 13 CPC was moved by the defendant- petitioner, in which, he moved an application to stay the execution proceedings.

By way of the impugned order, the learned trial Court allowed the application to stay the execution proceedings during pendency of the application under Order 9 Rule 13 CPC but subject to the condition that applicant- defendant – petitioner shall furnish a bank guarantee in the sum of Rs.2 lacs within ten days from the date of passing of the order.

The above said order dated 07.10.2022 has been assailed by the defendant of the case in this revision. It is contended that as defendant was never served as per law, so, the impugned order is harsh.

Heard.

It is conceded by learned counsel for the petitioner that what to talk of furnishing the bank guarantee in the sum of Rs.2 lacs within ten days from the date of passing of the impugned order, the petitioner has not furnished the bank guarantee even till date.

I find no illegality or perversity in the impugned order.

Dismissed.

December 06, 2022
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No