

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

CR-7563-2018 (O&M)

Date of decision: 06.09.2022

Ramesh

...Petitioner

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioner

Mr. Harsh Vardhan Shehrawat, AAG, Haryana
for respondent no.1

Mr. Manoj Sharma, Advocate for respondent no.2

ANIL KSHETARPAL, J (Oral)

The judgment debtor assails the correctness of the orders passed by the Executing Court, while issuing conditional warrants of his arrest. On 12.11.2018 learned counsel representing the petitioner stated that the petitioner is ready to give details of the property for attachment to the Executing Court. Consequently, his arrest was stayed. Again, on 11.01.2019, the Court passed the following order:-

“Learned counsel for the petitioner states that under the bonafide belief it was not brought to the notice of the Executing Court that the applicant is ready that his property already attached should be sold to satisfy the decree and he has no objection to it. He will do the needful within one week from today and is not raising any objections regarding sale of his property.

Notice in the civil miscellaneous application for 30.1.2019, the date already fixed in main case.

Mr. Vishal Kashyap, AAG, Haryana, who is present in Court, accepts notice on behalf of State of Haryana.

Let the needful be done within seven

days from today.

Arrest of the petitioner is stayed till next date of hearing.”

Learned counsel representing the decree-holder admits that the property of the judgment debtor has already been attached.

Keeping in view the aforesaid facts, the orders issuing his conditional arrest warrants are set aside. Let the court, in the first instance, make an attempt to dispose of his property in order to recover the amount.

Disposed of.

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

06.09.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE