

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

CR No. 882 of 2019 (O&M)

DECIDED ON: 16th February, 2023

Pawan

.....PETITIONER

VERSUS

M.D. Haryana Police Housing Corporation Ltd. and another

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Saurabh Sharma, Advocate for petitioner.

Mr. Varun Katyal, Advocate for respondent No.1.

AVNEESH JHINGAN, J (ORAL)

1. This writ petition is filed aggrieved of order dated 15.12.2018 issuing warrant of sale of property of the JDs.
2. The facts in brief are that the Haryana Police Housing Corporation Ltd. (for short 'the Corporation') filed a claim against M/s Balwan Singh and Company (respondent No.2). Award dated 5.8.2015 was passed in favour of the Corporation. Execution petition which was transferred from Panchkula to Rohtak was pending and objections were filed by the petitioners.
3. Grievance in the present petition is that without deciding the objections, the impugned order was passed.
4. Learned counsel for Corporation-respondent No.1 is not disputing the fact that the objections were not decided before passing the impugned order. However, he submits that the execution is pending since 2018 and the Court concerned be directed for a time bound decision.
5. The warrants for auction of the attached property were ordered to be issued without deciding the objections of the petitioners.

6. The impugned order is set aside and the matter is remanded back to the Executing Court to decide the objections before proceeding further in accordance with law.
7. There is no doubt that considering that Execution petition is of 2018, an endeavour would be made by Court concerned for an expeditious disposal.
8. Since the main case has been decided, pending application, if any is rendered infructuous.

16th February, 2023

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>