

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

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2023:PHHC:140815

CR-1381-2022

Date of decision: 06.11.2023

DALBIR SINGH

..Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.D. Bawa, Advocate
& Mr. Dipanshu Kapur, Advocate
for the petitioner.

Mr. Vikas Arora, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

1. The learned counsel representing the petitioner contends that the amount payable as per the judgment and decree was paid in parts and thereafter, the decree holder is entitled to adjust the amount firstly towards the interest and secondly towards the cost and thereafter towards the principal amount.
2. On a Court question, the learned counsel representing the petitioner submits that this objection was never taken before the Executing Court.
3. Keeping in view the aforesaid facts, this Court while exercising the revisional jurisdiction is not expected to examine an issue, which was already not taken up before the Executing Court.
4. At this stage, the learned counsel representing the petitioners submits that he will file an application before the Executing Court with regard to the same
5. Let him do so.
6. With these observations, the revision petition is disposed of.

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

November 06th, 2023

(ANIL KSHETARPAL)
JUDGE

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