

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

289

CR No.1901 of 2022

Date of Decision : 24.04.2023

M/s R.S. Industries and Another

....Petitioners

VERSUS

M/s Aashish Industrial Corporation

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : None.

ALKA SARIN, J. (Oral)

1. On 10.06.2022 the following order was passed :

“This is an application for seeking extension of time for depositing Rs.25 lakhs with the Executing Court in compliance to the order dated 13.05.2022 passed by the Co-ordinate Bench of this Court.

Learned counsel for the petitioners submit that father of the applicant-petitioner No.2 was hospitalized due to attack of paralyses and, therefore, he could not deposit the above said amount in time, as stipulated by the Court.

Keeping in view the peculiar facts and in the interest of justice, the present application is allowed and the order dated 13.05.2022 is modified to the extent that further time is granted to the petitioners to make a deposit of Rs.25 lakhs with the Executing Court on or before 10.07.2022.

Interim order with regard to arrest of the petitioner No.2 shall remain stayed.

However, it is made clear that in case of failure of deposit of amount by 10.07.2022, the present revision petition shall be deemed to have been dismissed.”

2. Since the process fee was not filed hence, notice could not be issued to the respondent. No intimation has been received by the Registry regarding deposit of Rs.25 lakhs with the Executing Court. Today the case has been called twice, once in the pre-lunch session and once in the post-lunch session, however, none has put in appearance on behalf of the petitioners.

3. In view of the above, this Court is left with no other option but to dismiss the present revision petition for non-prosecution.

4. Dismissed for non prosecution. Pending applications, if any, also stand disposed off.

24.04.2023
jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO