

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

CR-3102-2023

Date of Decision: 18.05.2023

Naresh Kumar

..... Petitioner

Versus

Devender Yadav

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. S.K.Tripathi, Advocate, for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Article 227 of the Constitution of India praying for setting aside the impugned orders dated 01.12.2022 and 22.03.2023 passed by the Civil Judge (Junior Division), Pataudi, whereby conditional warrant/arrest warrant against the petitioner has been issued through SHO concerned for 06.04.2023; alongwith certain other prayers.

The decree under execution is a money decree. Therefore, even the operation or execution of the same could not have been stayed by this Court nor any installment can be provided for except with the consent of the decree holder. Therefore, on account of non-payment of the decreetal amount, the Executing Court has rightly issued the warrants against the petitioner. This Court does not find any illegality or perversity in the impugned orders passed by the Executing Court.

Dismissed.

**(RAJBIR SEHRAWAT)
JUDGE**

18.05.2023
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No