

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-3142-2023
Date of Decision: 22.05.2023

Sita Rani
...Petitioner

Versus

Kuldip Singh and another
...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jagmohan S. Ghumman, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner argues that by the impugned order dated 08.05.2023 (Annexure P-7), straightway the warrant of possession has been issued without even deciding the objections which have been filed by the petitioner in the execution proceedings. Learned counsel submits that even if the execution application was to be revived, the same has to be revived from the stage where it was pending and at the said time, the objections raised qua the execution applications were pending consideration but without deciding the said objections, while reviving the execution application, warrants of possession has been issued which is arbitrary in nature.

On being asked as to whether, the said fact has been brought to the notice of the Executing Court, as the notice has been issued for 31.05.2023, which date is yet to arrive, learned counsel for the petitioner very fairly submits that he may be permitted to withdraw the present petition with liberty to file appropriate application for recalling the order dated 08.05.2023, keeping in view the facts mentioned in the application.

Ordered accordingly.

22.05.2023
ps-I (HARSIMRAN SINGH SETHI)
JUDGE

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