

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(238)

CR No. 8348 of 2019
Date of Decision : 17.02.2023

Ramesh Rani

...Petitioner

Versus

Ram Raj (deceased) through his Lrs.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. Kuldeep V. Singh Ahluwalia, Advocate
for respondent No. 3.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioner submits that the order dated 10.05.2019 passed by the Executing Court is not correct as far as a finding has been recorded that a total sum of ₹2,14,140/- as being claimed by the decree holder has already been realized from the salary of the judgment debtor and the said amount has already been credited in the account of the decree holder. Learned counsel submits that only a sum of ₹1,37,140/- has been received and not the remaining amount.

On being asked as to whether the said argument has been raised before the Executing Court, learned counsel has not been able to show that the said argument has been raised.

Faced with this situation, learned counsel for the petitioner submits that he be permitted to withdraw the present civil revision petition

with liberty to approach the Executing Court for review of the order dated 10.05.2019 as the same is factually incorrect.

Learned counsel for respondent No. 3 raises no objection for the prayer made by the learned counsel for the petitioner.

In view of the above, the present civil revision petition is disposed of having been not pressed with liberty as prayed for.

February 17, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No