

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

CR-5170-2022

Date of Decision: 19th January, 2023

Mr. Sahil and another

... Petitioners

Versus

Shriram City Union Finance Limited

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Gaurav Antwal, Advocate for the petitioners.

Mr. Vinod Kumar Arya, Advocate for the respondents.

AVNEESH JHINGAN , J.(Oral)

This revision petition is filed aggrieved of order dated 25.7.2022 passed by Additional District Judge, Bhiwani issuing conditional warrants against petitioner No.1 (Judgment Debtor No.1) and warrant of attachment against petitioner No.2 (Judgment Debtor No.2 who is mother of petitioner No.1).

The facts in brief are that the petitioners availed loan facility from the respondent. There was dispute between the parties and the matter was referred to Arbitrator and award dated 18.1.2018 was passed by the Arbitrator at Chennai. The execution was filed at Bhiwani.

The grievance of the learned counsel for the petitioner is that without giving an opportunity of hearing, the impugned order has been passed. Further, that the petitioner has cleared the loan account and no objection letter was issued by the respondent on 28.5.2015.

Learned counsel for the respondent disputes that the loan account has been cleared.

The impugned order was passed ex-parte qua Judgment Debtor No.1 and in absence of representative of Judgment Debtor No. 2. Before issuing conditional warrant or warrants of attachment the veracity of no objection letter annexed as Annexure P-1 with the petition also needs an adjudication.

Petition is disposed of. Parties are directed to appear before the Executing Court on 9.3.2023. The plea taken by the judgment debtor and their objection would be decided by the Executing Court in accordance with law.

(AVNEESH JHINGAN)
JUDGE

19th January, 2023
anuradha

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