

**211 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

2023:PHHC:043699

CR-7285-2019

Date of decision: 24th March, 2023

Baba Gurbinder Singh

Petitioner

Versus

M/s Punjab Kashmir Finance Limited

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Prateek Sodhi, Advocate for the petitioner.
Mr. Rohit Sud, Advocate for the respondent.

AVNEESH JHINGAN, J (Oral):

1. This revision petition is filed for setting aside order dated 18th September, 2019, dismissing the objections filed by the Judgment Debtor in execution proceedings.

2. The brief facts are that the petitioner availed the loan facility from the M/s Punjab Kashmir Finance Limited (hereinafter referred as 'finance company') and on default for repayment of the amount the matter was referred to the arbitrator. The proceedings culminated in award dated 14th February, 2005, the finance company found that due amount is Rs. 12,20,676/- along with interest at the rate of 24% per annum.

3. It is not disputed that the objections filed against the award were not perused. Execution proceedings were revived in 2018, the petitioner filed the objections that no amount is due as loan account was cleared.

4. Learned counsel for the petitioner submits that matter was compromised between the parties. The vehicle in question was stolen for which an FIR was got registered and the finance company got the insurance claim also.

5. Learned counsel for the respondent vehemently refutes the contention made by learned counsel for the petitioner. He submits that there was no evidence with regard to the payment made; FIR registered or the insurance claim given to the finance company.
6. Heard learned counsel for the parties and perused the record.
7. There is no factual or legal infirmity in the impugned order. Apart from making bald statement, the petitioner failed to adduce even an *iota* of evidence with regard to the registration of FIR, compromise between the parties and insurance claim paid to Finance Company. Consequently, the petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

24th March, 2023
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |