

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

**CR-7364 of 2023(O&M)
Date of Decision: 12.12.2023**

Shammi Kumar Yadav & Anr.

...Petitioners

Versus

Laxman Singh Chahar & Anr.

...Respondents

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Manish Soni, Advocate
For the petitioners.**

**Mr. Sandeep Singh, Advocate
For respondents.**

KARAMJIT SINGH, J.

1. The present civil revision petition has been filed by the petitioners/ JDs against the order dated 26.10.2023(Annexure P-4) whereby the objection petition (Annexure P-3) filed by the petitioners has been dismissed and orders dated 10.11.2023 (Annexure P-6) and 20.11.2023 (Annexure P-8) whereby conditional warrants of arrest of petitioners are issued by the Executing Court Gurugram in execution petition No. 216 of 2023.

2. The brief facts of the case are that the suit filed by respondents for possession by way of specific performance of the agreement was decreed against the petitioners with costs by the learned trial Court vide its judgment dated 11.03.2016. Respondents filed execution application for recovering aforesaid costs worth Rs.3,11,416/- against the petitioners wherein the Executing Court dismissed the objection petition and further issued

conditional warrants of arrest of the petitioners for satisfaction of the aforesaid decree.

3. Admittedly, petitioners have already made payment of Rs.2,00,000/- out of aforesaid amount of Rs.3,11,416/- and today the counsel for the petitioners made request that balance amount of Rs. 1,11,416/- will be paid to the respondents within a period of next four weeks and till then no coercive action be taken against the petitioners.

4. The counsel for the respondents are having no objection if period of four weeks is given to the petitioners to make the payment of balance amount.

5. In view of the above, without commenting on the merits of the case the present petition is hereby disposed of with direction to the petitioners to make payment of balance amount of Rs.1,11,416/- to the respondents within a period of next four weeks and till then no coercive action is to be taken against the petitioners. However, in case the petitioners fail to make payment of the aforesaid balance amount within stipulated period, this petition shall be deemed to have been dismissed. Further, the Executing Court is directed to adjourn the execution proceedings with regard to recovery of aforesaid amount beyond 15.01.2024.

(KARAMJIT SINGH)
JUDGE

12.12.2023

Jiten

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No