

2024:PHHC:015239

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

CR-2583-2019 (O&M)
Date of decision: 05.02.2024

Ramesh Chander

....Petitioner

Versus

Ved Prakash

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Nipun Verma, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

The petitioner's execution petition to recover the amount of Rs.40,000/- alongwith interest was dismissed in default on 16.02.2002 due to non-appearance of the petitioner or his counsel. He filed an application for restoration of the execution petition, in which notice was issued, however, he did not deposit the process fee. Again on 28.08.2004, the execution petition was dismissed for non-prosecution as neither the petitioner nor his counsel was present. Thereafter, again an application for restoration was filed, which was again dismissed in default on 17.09.2008. The Executing Court found that the petitioner is thoroughly negligent in prosecuting his execution petition and therefore, refused to restore the same, the third time.

Keeping in consideration the peculiar facts of the case, this Court does not find it appropriate to interfere in the impugned order passed by the Executing Court.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also
disposed of.

05.02.2024
rekha
Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No

(ANIL KSHETARPAL)
JUDGE