

2024:PHHC:053278

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CR-1529-2024 (O&M)
Date of Decision: 10.04.2024

CHAMKAUR SINGH

... Petitioner

VERSUS

SARINDER KAUR AND ANOTHER

....Respondents

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Ferry Sofat, Advocate
for the petitioner.

RITU TAGORE, J.(Oral)

1. Prayer in this revision petition is to the order dated 15.07.2023 passed by learned MACT, Ludhiana (Annexure P-1) whereby conditional warrant of arrest of the petitioner had been issued by the learned Executing Court in Execution Petition No.27 of 2020.

2. Learned counsel for the petitioner has admitted that a claim petition bearing No.MACT-42-2017 under Section 166 of the Motor Vehicle Act was decided against the petitioner *ex parte*. The application bearing No.429 filed by the petitioner under Order 9 Rule 13 CPC to set aside the aforesaid *ex parte* award passed against him was dismissed in default and his application to recall the order of dismissal and revive his application under Order 9 Rule 13 CPC is still pending for adjudication, However, stated that the conditional warrant of arrest were issued against him on the same date on which he has moved the application for staying the execution proceedings and prayed for setting aside the impugned order.

3.

When this Court expressed its no inclination to interfere in the order on the premise that only conditional warrants have been issued against him and his application for revival of the main application under Order 9 Rule 13 CPC is pending for adjudication, thereupon, after arguing for some time, learned counsel for the petitioner submits that he limits his prayer to the extent that learned Executing Court be directed to dispose of his applications expeditiously. It is stated that next date of hearing before the learned Executing Court is 15.04.2024.
4.

In view thereof, learned Executing Court is directed to dispose of the applications of the petitioner/JD-Chamkaur Singh expeditiously preferably within a period of two months.
5.

Disposed of accordingly.

(RITU TAGORE)

JUDGE

10.04.2024

Rimpal

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No