



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

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CR-2604-2024 (O&M)

Date of Decision : 24.05.2024

RUPINDER KUAMR BANSAL

.... Petitioner

VERSUS

M/s HANS RAJ SOM NATH

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Jatin Bansal, Advocate for the petitioner.

Mr. Navjot Singh, Advocate for the respondent.

ALKA SARIN, J. (ORAL)

1. Mr. Navjot Singh, Advocate has appeared and has filed his vakalatnama on behalf of the respondent. The same is taken on record.
2. Challenge in the present petition filed under Article 227 of the Constitution of India is to the order dated 21.03.2024 (Annexure P-10) passed by the learned Additional Civil Judge (Senior Division), Sangrur vide which conditional warrants of arrest against the petitioner have been issued without issuance of a show cause notice under Order XXI Rule 37(1) of the Code of Civil Procedure, 1908.
3. Learned counsel for the petitioner would contend that no show cause notice has been issued to the petitioner in compliance of the provisions of Order XXI Rule 37(1) CPC and straightway conditional warrants of arrest have been issued.



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4. Learned counsel for the respondent states that there can be no quarrel with the proposition of law. He, hence, states that the matter may be remanded back to be decided afresh in accordance with law.

5. Heard.

6. In view of the above, the present revision petition is allowed and the impugned order dated 21.03.2024 (Annexure P-10) is set aside. The matter is remanded back to the Executing Court concerned for deciding afresh in accordance with law. Pending applications, if any, also stand disposed off.

24.05.2024
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No