

130 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2665-2022(O&M)
Date of decision :18.04.2024

Rajesh Kumar ...Petitioner

Vs.

Sohan Singh and other ...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Parminder Walia, Advocate
for the petitioner.

Mr. Deepak Verma, Advocate
for respondent No.1.

Mr. R.C. Kapoor, Advocate
for respondent No.2.

ANIL KSHETARPAL, J. (Oral)

1. In this case, the respondent No.1 herein is a claimant. In an award passed by Motor Accident Claims Tribunal, Kaithal, he has been held entitled to compensation. The Execution petition to implement the aforesaid award passed by the Motor Accident Claims Tribunal, Kaithal is pending. The Executing Court in order to secure the presence of the petitioner has ordered his conditional warrant of arrest.
2. Heard the learned counsel representing the parties at length and with their able assistance perused the paper-book.
3. Learned counsel representing the petitioner submits that the Judgment Debtor is required to first of all file list of the properties and the Court can order his arrest, only if, recovery by sale of property is not

possible.

4. This Court has considered the submissions made by the learned counsel for the parties.

5 The petitioner herein is a Judgment Debtor. He has to appear before the Executing Court and file an affidavit disclosing his assets. Since, he was not appearing, therefore, the Court issued conditional warrant of arrest. However, the learned counsel representing the petitioner submits that the petitioner is prepared to appear before the Executing Court.

6. In view aforesaid statement, the revision petition is disposed of with a direction to the petitioner to appear before the Executing Court on 29.04.2024 and furnish details of his properties. Thereafter, the Court will proceed in accordance with law.

7. For a period of next 10 days, the petitioner’s arrest under the orders of the Executing Court shall remain stayed.

18.04.2024		(ANIL KSHETARPAL)	
		JUDGE	
neeraj	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No