

2024:PHHC:041940

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

**CR-4973-2023 (O&M)**  
Date of decision: 22.03.2024

Balbir Kaur

...Petitioner

Versus

Jasbir Singh

..Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Vikas Duggal, Advocate for  
Mr. Amarjit Singh Shergill, Advocate for the petitioner  
Ms. Vidushi Kumari, Advocate for  
Ms. Gurkamal Kaur, Advocate for the respondent

**ANIL KSHETARPAL, J (Oral)**

1. The petitioner herein is a judgment debtor. A civil suit for the recovery of the amount has been decreed against her. The execution of the aforesaid decree is sought to be stalled on the following two grounds:-

i) The petitioner has filed a separate suit challenging the correctness of such decree.

ii) After withdrawal of the first execution petition, the second execution petition is not maintainable.

2. This Court has considered the submissions made by the learned counsel representing the parties.

3. Admittedly, there is no stay in the second suit. The learned counsel representing the petitioner has failed to draw the attention of the Court to any provision of the Code of Civil Procedure, 1908, which debars maintainability of the second execution petition.

4. Keeping in view the aforesaid facts, no ground to interfere is made out.
5. Hence, dismissed.
6. All the pending miscellaneous applications, if any, are also disposed of.

22.03.2024  
rekha  
Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No

(ANIL KSHETARPAL)  
JUDGE