

2024:PHHC:123264



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-23720-2024

KULDEEP SINGH AND ORS

... Petitioners

VERSUS

PRINCEPAL SINGH @ PRITPAL SINGH AND ORS.

... Respondents

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CWP-23743-2024
Date of Decision: 18.09.2024

KULDEEP SINGH AND ORS

... Petitioners

VERSUS

TAJINDER PAL SINGH AND ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Jagtar Kureel and Mr. Baljinder Singh,
Advocates for the petitioners.

VINOD S. BHARDWAJ, J. (ORAL)

Both these writ petitions are being decided by a common order
since the issues involved therein are similar.

Challenge in the present petitions is to the orders dated 14.03.2024
passed by respondent No.6 in Execution Applications No.147 and 148 of 2022,
whereby the objection(s) to the Execution Applications filed by the petitioner to
the effect that they have no concern with the Judgment Debtor have been
dismissed.



A perusal of the Award passed by the District Consumer Disputes Redressal Commission, Amritsar clearly shows that the Award had also been passed against Natureway Network Mkt. Pvt. Ltd. situated at Shop No.7, Shaheed Bhagat Singh Market, Bus Stand, Amritsar, through authorized signatories, Directors, Partners, Manager, Administrators, Representatives, Assignees etc. at present being run in the name of Dream Freedom Herbals, which was Opposite Party No.4 therein. The address of the Dream Freedom Herbals as well as the petitioners herein is actually the same as has been referred to in the address of Natureway Network Mkt. Pvt. Ltd. viz. Dream Freedom Herbals, before the District Consumer Disputes Redressal Commission. It is also evident that the execution has been filed, amongst others against Opposite Party No.4 i.e. Dream Freedom Herbals/Natureway Network Mkt. Pvt. Ltd., which were established in the Award of the District Consumer Disputes Redressal Commission as one entity.

Learned counsel appearing on behalf of the petitioner(s) contends that the complaint was dismissed against the petitioners herein, who were respondents No.4 to 7 in the Consumer Complaints, but nonetheless, the Award in question has been executed against them.

On being confronted with the fact that the contentions raised with respect to the separate juristic entity of Dream Freedom Herbals was examined by the District Consumer Disputes Redressal Commission, Amritsar in its Award dated 28.01.2022 and the above objection was declined by the District Consumer Disputes Redressal Commission, Amritsar in paragraph No.8 of its



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Award and that the said Award having not being challenged by Natureway Network Mkt. Pvt. Ltd. (respondent No.5 herein), as to whether the same objections could be raised again in the Execution Applications by the petitioners as authorized representatives of Dream Freedom Herbals, the Counsel for the petitioners prays for withdrawal of the instant writ petitions so as to take recourse to the alternative remedies available to him in accordance with law.

Disposed of as withdrawn with the liberty as aforesaid.

SEPTEMBER 18, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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