

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

2024:PHHC:019195

ESA-64-2015 (O&M)
Date of decision: 12.02.2024

SUCHA RAM ..Appellant

Versus

JUJHAR SINGH ..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Bhupinder Banga, Advocate
for the appellant.

ANIL KSHETARPAL, J(Oral)

1. The appellant herein is the judgment debtor. At the relevant time, he was working as travel agent involved in helping the people in migrating abroad. He duped the respondent on the pretext of sending him abroad. A criminal case was also registered against him, in which he was convicted. In the civil suit, decree for recovery of money was passed, which has become final between the parties.

2. On 27.11.2015, the following order was passed:-

“Pursuant to order dated 18.11.2015, appellant is willing to make payment of decretal amount and interest subject to further reconciliation qua interest.

Notice of motion for 09.02.2016.

Liberty is granted to serve the respondent through his counsel in the Executing Court.

Till then status qua regarding suit property as it exists today be maintained.”

3. The learned counsel representing the appellant submits that despite his best efforts, he could not contact the appellant, however, he submits that the petitioner’s only residential house is sought to be sold in the auction.

4. This Court has considered the submission of the learned counsel representing the appellant.

5. In the facts and circumstance of the present case, this Court is not inclined to interfere particularly when the learned counsel has stated that he is prepared to make the payment of decretal amount along with interest. Now, he cannot be permitted to take a U-turn. Moreover, the appellant is not entitled to equitable relief particularly when he duped gullible farmers.
6. Hence, no ground to interfere is made out.
7. Dismissed accordingly.
8. All the pending miscellaneous applications, if any, are also disposed of.

February 12th, 2024
Ay

(ANIL KSHETARPAL)
JUDGE

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