



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

111

CR-5881-2024 (O&M)
Date of Decision: 23.10.2024

SARABPAUL SINGH

.... Petitioner

V/S

CHANPREET KAUR AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Ravinder Singh Randhawa, Advocate
Mr. Anuj Chauhan, Advocate
Mr. Harmeet Kaur, Advocate
Ms. Kavita Joshi, Advocate for the petitioner.

Mr. Manvinder Sidhu, Advocate for all
the respondents except respondent No.5.

SUVIR SEHGAL, J. (ORAL)

1. At the outset, counsel for the petitioner gives up respondent No.5.
2. Name of respondent No.5 is ordered to be deleted from the array of parties.
3. This revision petition has been preferred under Section 227 of the Constitution of India for setting aside order dated 21.08.2024 passed by the learned Additional District Judge, Sirsa, whereby execution petition for implementation of arbitral award dated 01.10.2023, Annexure P-3, has been dismissed.



4. Counsel for the petitioner submits that the Executing Court had formed an opinion that the award has been passed and it is being sought to be executed to evade the stamp duty and registration charges. He submits that the petitioner is prepared to deposit all the requisite charges, if applicable, in accordance with law.
5. Issue notice to the respondents.
6. Mr. Manvinder Sidhu, Advocate has filed two separate Vakalatnamas, on behalf of respondents No. 4 and 6 to 10, which are taken on record. He submits that he does not have any objection, in case, the impugned order is set aside and the matter is remitted to the Executing Court.
7. In view of the consensus arrived at between the parties, impugned order dated 21.08.2024 is set aside. Matter is remanded to the Executing Court for re-determination in accordance with law.
8. Revision petition is disposed of.
9. Parties are directed to appear before the learned Additional District Judge, Sirsa, on 10.12.2024 at 10:00 am.
10. As the counsel for the petitioner has made a statement that the stamp duty, etc. as applicable shall be deposited, the Executing Court shall first determine the stamp duty and other charges, if any, payable by the parties and given an opportunity to the parties to deposit them before proceeding further.

23.10.2024
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No