

CR-7642-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.136

CR-7642-2023

Date of Decision: 25.01.2024

TARA CHAND

....Petitioner

Versus

BIRBAL DECEASED TH LRS & ORS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Mandeep K Dhot, Advocate
for the petitioner.

ARCHANA PURI, J. (Oral)

Status report has already been received from the concerned Court.

However, at this stage, it has come to the notice of the Court that the interim relief, with regard to Executing Court to adjourn the case beyond the date fixed by this Court, was granted by the Coordinate Bench in CR-1667-2019 titled “Tara Chand and others v/s Yogesh Aggarwal and others”.

On query by the Court, it has been disclosed by learned counsel that the said petition filed at his instance, is still pending and also it has been disclosed that it is only on account of interim relief granted in that revision petition, the Executing Court is not proceeding further with the case.

Such being the state of affairs, when the execution filed at the instance of the present petitioner is already pending, wherein the interim

CR-7642-2023

relief was granted to adjourn the case beyond the date fixed by this Court and on that basis the Executing Court is not proceeding further, no such specific direction can be given to the Executing Court to proceed further with the execution. If the petitioner has any grievance with the execution not proceeding further, the petitioner has the appropriate remedy to file an application in the revision petition i.e. CR-1667-2019, which is stated to be pending.

Accordingly, the instant revision petition stands disposed of.

25.01.2024
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No