



CR-5-2025

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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Date of decision : 17.03.2025

United India Insurance Company Limited

... Petitioner

Versus

Sushil Kumar Goyal and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Maninder Arora, Advocate and
Mr.Harmeet Singh, Advocate
for the petitioner.

Mr.Rishabh Chaudhary, Advocate
for respondent no.1.

Mr.Ved Parkash, Advocate
for respondent no.2.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 24.12.2024 (Annexure P-1) passed by the Executing Court vide which the application dated 24.12.2024 (Annexure P-6) filed by the petitioner in pursuance of the order dated 01.03.2024 (Annexure P-3) has been declined.

2. On 08.01.2025, this Court was pleased to pass the following order:-

“Present:- Mr. Maninder Arora, Advocate and



Mr. Harmeet Singh, Advocate for the petitioner.

Inter alia contends that the petitioner would deposit the entire amount of compensation along with interest within a period of six weeks from today and has submitted that he has no objection in case the said amount is released to the claimants but the same be made subject to the decision of appeal i.e., FAO-2772-2023. It is prayed that till the next date of hearing, the arrest warrants issued against judgment debtor No.2/petitioner be not executed.

Notice of motion for 25.02.2025.

To be taken up in the urgent list.

Liberty is granted to the petitioner to serve the respondents through dasti process as well as through counsel appearing before the Executing Court.

In the meanwhile, as undertaken by counsel for the petitioner, the petitioner would deposit the entire amount of compensation as awarded vide award dated 03.03.2023 along with interest and same would be released to respondents by the Executing Court and the said amount released would be subject to the decision of appeal i.e., FAO-2772-2023.

Till the next date of hearing, the warrants of arrest issued against the petitioner are stayed.

It is made clear that in case of non-compliance of the abovesaid undertaking before this Court, the interim order would be liable to be vacated.

08.01.2025”

3. Learned counsel for the petitioner has submitted that as per his instructions, the amount has already been deposited and has prayed that the Executing Court be directed to release the same in favour of respondent



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no.1. It is submitted that the same be released to respondent no.1 subject to the decision of FAO-2772-2023.

4. With the consent of both the parties, the present petition is disposed of with the following observations-directions:-

- i) The amount deposited by the petitioner in pursuance of the order dated 08.01.2025, before the Executing Court is directed to be released to the respondent no.1 on the respondent no.1 moving an appropriate application, in accordance with law.
- ii) The said release would be subject to the decision in FAO-2772-2023.
- iii) In view of the fact that the petitioner has deposited the entire amount and has no objection to the effect that the said amount be released to the respondent no.1 subject to the decision in FAO-2772-2023, the impugned order dated 24.12.2024 and the proceedings with respect to the issuance of warrants of arrest against the petitioner are set aside.

(VIKAS BAHL)
JUDGE

March 17, 2025.
Davinder Kumar

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