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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

(118)

CR-955-2025

Date of decision:- 14.02.2025

Amit Bhandari and another**... Petitioners****Versus****Vishal Bhanot****... Respondent****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Ms. Harmeet Kaur Chanan, Advocate for the petitioners.

SUVIR SEHGAL, J. (ORAL)

1. This revision petition has been filed assailing order dated 20.01.2025, Annexure P-10, passed by the learned Additional Civil Judge (Senior Division), Hoshiarpur, whereby Manager, State Bank of India, Main Branch, Hoshiarpur has been directed to transfer 1/3rd amount from the total amount attached from the salary account of the petitioner No.2-JD to the bank account of the respondent-DH.
2. Counsel for the petitioners has argued that instead of transferring the amount from the bank account of the petitioners, the petitioners may be permitted to furnish adequate security for the decretal amount and the impugned order may be modified accordingly.
3. Having heard counsel for the petitioners, this Court is of the view that the request of the petitioners does not deserve to be accepted. Respondent-plaintiff filed a suit for recovery along with interest, which was opposed by the petitioners. After contest, judgment and decree dated 20.12.2022, Annexure P-3, was passed, whereby respondent-plaintiff was held entitled to recover Rs.16



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lacs from the petitioners-defendants jointly and severally along with interest @ 9% per annum from the date of filing of the suit. Petitioners filed an appeal, which is pending before the learned District Judge, Hoshiarpur, however, no stay has been granted. In the meantime, respondent filed an execution petition and the petitioners were proceeded against ex-parte. On an application filed by the petitioners, they were permitted to join the proceedings vide order dated 05.10.2023, Annexure P-6, and on 27.10.2023, Annexure P-7, the executing court issued warrants for attachment of the salary account of petitioner No.2. This order has been challenged by the petitioners in a revision petition before this Court, which is pending.

4. After the salary account was attached, objections were filed by JD-petitioner No.2, which were partly accepted and on 14.11.2024, Executing Court ordered the release of the salary account of petitioner No.2 by keeping 1/3rd amount attached. This order has not been challenged by the petitioners. The impugned order has been passed transferring the 1/3rd amount to the bank account of the petitioners. In the absence of any stay by the appellate court and as there is no challenge to the order dated 14.11.2024, this Court is of the view that there is no irregularity or illegality in the order passed by the executing court.

5. Finding no merit in the revision petition, it is dismissed with no order as to costs.

14.02.2025

Kamal

(SUVIR SEHGAL)
JUDGE

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