



CR-3552-2024(O&M)

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-3552-2024(O&M)

Date of decision : 14.01.2025

Randeep Singh

... Petitioner

Versus

Manpreet Bagga

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.N.S. Boparai, Advocate and
Mr.Pradeep Singh, Advocate
for the petitioner.

Mr.Sunny K. Singla, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

CM-330-CII-2025

1. This is an application under Section 151 CPC praying for early hearing of the civil revision fixed for 15.01.2025.

2. With the consent of the learned counsel for the parties, the case is preponed from 15.01.2025 to today itself for hearing.

CR-3552-2024

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India praying for setting aside the impugned order dated 30.05.2024 (Annexure P-7) passed by the Additional Civil Judge (Sr.Div.), Malerkotla, vide which the application for stay of the execution petition has

**CR-3552-2024(O&M)****2**

been dismissed.

2. During the course of arguments, a consensus has been arrived at between the learned counsel for the petitioner as well as the learned counsel for the respondent on instructions from their respective parties and on the basis of the said consensus, the present petition is disposed in the following terms:-

- i) The petitioner undertakes to deposit Rs.11,50,000/- within a period of three weeks from today. On the petitioner depositing the said amount within the aforesaid period, the same would be released to the respondent-decree holder on the respondent-decree holder furnishing the surety to the satisfaction of the Executing Court.
- ii) It is made clear that in case the said amount is not deposited within the aforesaid period, then the present petition would be deemed to have been dismissed.
- iii) In case the application under Order 9 Rule 13 CPC filed by the petitioner is allowed and the suit filed by the respondent-plaintiff is dismissed, then the respondent would be liable to refund the said amount along with interest at the rate of 6% per annum from the date the amount is paid to the respondent-plaintiff till the date of return.
- iv) In case after allowing the application under Order 9 Rule 13 CPC, the suit of the respondent-plaintiff is allowed, then the respondent-plaintiff would not be required to return the said



CR-3552-2024(O&M) 3

amount.

3. It is made clear that this Court has not opined on the merits of the case and the application under Order 9 Rule 13 CPC and all other proceedings would be decided independently by the Court after hearing both the parties on the basis of evidence and pleadings led by both the parties.

(VIKAS BAHL)
JUDGE

January 14, 2025.
Davinder Kumar

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