



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

(121)

CR-3526-2025

Date of Decision:-18.08.2025

Harbans Singh

.....Petitioner

Versus

M/s Ganesh Dass Des Raj

.....Respondent

**CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH
GREWAL**

Present: Mr. H.S. Harry, Advocate, for
Mr. Kuldip Singh, Advocate,
for the petitioner.

AMARINDER SINGH GREWAL, J. (Oral)

The present Civil Revision Petition has been filed under *Article 227 of the Constitution of India* seeking to set aside the impugned order dated 23.05.2025 (Annexure P-1) passed by the learned Civil Judge (Junior Division), Guruharsahai, District Ferozepur in Execution Application No. EXE-205-2024.

2. Learned counsel for the petitioner submits that the respondent—Des Raj had filed a suit for recovery of ₹10,05,000/— (comprising ₹7,00,000/— as principal amount and ₹3,05,000/— as interest) against the present petitioner—Harbans Singh. The said suit was decreed with costs vide judgment and decree dated 17.11.2016, whereby the respondent was held

entitled to recover ₹7,00,000/- as principal amount along with interest @ 9% per annum from the date of filing of the suit.

3. It is further submitted that the decree-holder filed execution petition on 11.12.2024. The order dated 08.01.2025 shows that the first execution application was withdrawn by the decree-holder with liberty to file afresh. Thereafter, vide order dated 08.04.2025, the matter was adjourned for filing of an application under Order XXI Rule 66 CPC. Subsequently, vide order dated 15.05.2025, notice to the judgment debtor under Order XXI Rule 66 CPC was issued for 23.05.2025.

4. Learned counsel contends that vide order dated 23.05.2025, the notice issued to the judgment debtor—Harbans Singh was reported to have been served through his wife, and since none appeared on behalf of the judgment debtor, he was proceeded against *ex parte*. It is argued that the petitioner was not personally served and, therefore, he deserves an opportunity to contest the execution proceedings by raising objections on the application under Order XXI Rule 66 CPC.

5. In view of the order proposed to be passed, notice is not being issued to respondent as it would delay the proceedings besides entailing additional expenses to the respondent.

6. I have heard learned counsel for the petitioner at length and perused the paper book.

7. The contention raised by the petitioner is not acceptable. The order dated 23.05.2025 specifically records that notice had been duly served upon the petitioner through his wife. Despite such service, the petitioner failed to appear before the executing Court, and was rightly

proceeded against *ex parte*.

8. Consequently, this Court finds no illegality or infirmity in the impugned order dated 23.05.2025 passed by the learned Civil Judge (Junior Division), Guruharsahai. Accordingly, the present Civil Revision Petition stands dismissed.

9. Pending application(s), if any, shall also stand disposed of.

(AMARINDER SINGH GREWAL)
JUDGE

18.08.2025
Shubham

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No