

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(139)

CR-9331-2025 (O&M)  
Date of Decision: 15.12.2025

AJIT SINGH

...Petitioner

Versus

BALBIR SINGH

...Respondent

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

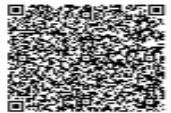
Present: Mr. Jarnail Singh Saneta, Advocate,  
for the petitioner.

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VIRINDER AGGARWAL,J.(ORAL)

1. This civil revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 13.11.2025, whereby, the learned Executing Court has directed the petitioner to furnish FD as Security and the impugned order dated 21.11.2025, whereby, the Executing Court has declined the application whereby prayer was made to allow petitioner to furnish the surety of the land instead of bank surety. A suit for recovery of Rs.8,35,000/-along with *pedente lite* and future interest has been decreed against the petitioner and respondent-decree holder has filed an execution for realization of the decreetal amount.

2. An application for setting aside *ex parte* judgment and decree was filed by the petitioner along with an application for setting aside the execution of the impugned decree and the learned Civil Judge as per the directions of this Court in CR-8028-2025 dated 11.11.2025 has stayed the execution of the decree subject to petitioner furnishing bank guarantee in the shape of FDR of



Rs.18,41,922/-vide order dated 13.11.2025 and petitioner moved another application for modification in the order offering security of land instead of FDR. That application was declined by the learned Civil Judge vide order dated 21.11.2025.

3. Now both the orders have been assailed in the present revision petition. Considering the fact that petitioner alleges that he is a marginal farmer having small amount of land holding and is unable to arrange a huge amount of Rs.18,41,922/- for furnishing FDR. He is unable to furnish the surety and thereby, his application for setting aside *ex parte* judgment and decree would become infructuous if the decree is executed by sale of the land of the petitioner.

4. Considering all the facts and circumstances, the impugned order dated 13.11.2025 is modified to the extent that petitioner is directed to furnish FDR of the principal amount and with regard to security of repayment of interest. The learned Executing Court shall accept the security on the basis of property to be furnished by the petitioner.

5. Since the main case has been disposed of, pending miscellaneous application(s), if any, stands also disposed of.

15.12.2025

Saurav Pathania

(VIRINDER AGGARWAL)  
JUDGE

(i) Whether speaking/reasoned : Yes/No  
(ii) Whether reportable : Yes/No