**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

CMPMO No.574 of 2026

Date of decision:07.10.2026

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Gian Chand ...Petitioner

Versus

Meena Kumari ...Respondent

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*Coram:*

***The Hon'ble Mr. Justice Romesh Verma, Judge.***

*Whether approved for reporting?*[1]

For the petitioner : Mr. Arush Matlotia, Advocate.

For the respondent : Mr. Neeraj Gupta, Senior Advocate with Mr. Pranjal Munjal, Advocate.

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**Romesh Verma, Judge (oral):**

After arguing for some time, learned counsel for the petitioner seeks permission to withdraw the instant petition.

2. The withdrawal of the petition has been vehemently opposed by Mr. Neeraj Gupta, learned Senior Counsel appearing for the respondent, on the ground that the petitioner is prolonging the matter on one pretext or another, as the decree was passed way back in 2010, i.e., on 28.05.2010, for permanent and mandatory injunction in favour of the respondent. He submitted that the appeal preferred by the petitioner came to be dismissed on 23.07.2011 and the said

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**Whether reporters of Local Papers may be allowed to see the judgment?**

judgment has attained finality as no further appeal against the said judgment was preferred by the petitioner.

3. It is further submitted by learned Senior Counsel that the execution petition filed by the respondent was objected to by the petitioner by filing an objection petition, which also came to be dismissed on 19.05.2015. This order was not challenged further thus attained finality. Consequently, the property of the petitioner was ordered to be attached on 04.08.2015.

4. Against the order passed by the learned executing court on 12.08.2025, the petitioner preferred Civil Revision Petition No.154 of 2025, and it has been contended that similar grounds were raised by the petitioner in the said petition as have been raised in the instant petition. The said petition was also dismissed on 12.12.2025.

5. The prayer for withdrawal has been opposed on the ground that the petitioner is trying to delay the execution of judgment and decree which stood affirmed way back in 2011, and in case the petitioner is permitted to withdraw the present petition, there shall be no end to the litigation.

6. The petitioner seeks unilateral and unconditional withdrawal of the present petition, but the prayer is accepted subject to payment of costs of Rs. 2,500/-.

7. The petitioner is directed to pay the said costs to the respondent on the next date of hearing before the executing court. It is

made clear that in case costs are not paid, as directed, coercive action will be initiated by the executing court to recover such costs. The parties are directed to appear before the learned executing court on **14.10.2026**.

8. Accordingly, the petition is dismissed as withdrawn along with pending application(s), if any.

**(Romesh Verma)**
**Judge**

7th October, 2026.
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