

CR-1733-2014(O&M) 1

2026:PHHC:078273



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-1733-2014(O&M)

Date of decision : 19.05.2026

Kala Singh

... Petitioner

Versus

Mohinder Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.N. S. Sodhi, Advocate
for the petitioner.

Mr. D. S. Virk, Advocate
for respondent no.1.

Mr. Gurinder Pal Singh, Advocate and
Ms.Sukhmandeep Kaur, Advocate for
Mr.P.S. Khurana, Advocate
for respondent no.2.

VIKAS BAHL, J.(ORAL)

1. CM-10180-CII-2026 has been filed by the petitioner under Section 151 CPC seeking permission to withdraw the main petition in view of the compromise.

2. Learned counsel for the applicant-petitioner as well as learned counsel for the respondents have jointly submitted that the case is listed for 04.08.2026 and have submitted that the since the matter has been compromised and main petition is to be withdrawn, the case be preponed



from 04.08.2026 to today.

3. In the main petition, challenge is to the order dated 20.04.2011 (Annexure P-1) passed in the execution proceedings whereby the objection petition of the petitioner/judgment debtor was dismissed.

4. On 07.03.2014, a Co-ordinate Bench of this Court was pleased to pass the following order:-

*“Present: Mr. O.P. Kamboj, Advocate
for the petitioner.*

Learned counsel, inter alia, contended that although the petitioner (JD) has offered to deposit the entire decretal amount, but the executing Court has just ignored his request and ordered the sale of his land only for a petty amount of ₹1,15,000/- per acre, whereas the reserve price of the land was ₹4 lacs. The argument is that the entire proceedings of attachment and sale are result of fraud and vitiate the sale proceedings.

Heard.

Notice of motion be issued to the respondent, returnable for 27.05.2014.

The operation of impugned order shall remain stayed till further orders, provided the petitioner (JD) deposit the entire decretal amount in the executing Court, within a period of one month.

March 07, 2014”

5. Learned counsel for the petitioner as well as the respondents have jointly submitted that in pursuance of the said order, an amount of Rs.1,58,200/- was deposited by the petitioner before the Executing Court and since the matter has been compromised, thus, the petitioner be permitted to withdraw the present petition and the amount so deposited by the petitioner be also released to the petitioner.

6. In view of consensus between the parties and the joint prayer,



the CM-10180-CII-2026 is allowed and the petitioner is permitted to withdraw the present petition.

7. In case the petitioner had deposited an amount of Rs.1,58,200/- in pursuance of the order dated 07.03.2014 in the Executing Court, then, it would be open to the petitioner to move an application for withdrawal of the said amount before the concerned Executing Court.

(VIKAS BAHL)
JUDGE

May 19, 2026.
Davinder Kumar

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