



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

CR-1759-2026(O&M)
Date of decision: 02.04.2026

Daljeet Singh

... Petitioner

Versus

Ran Singh Beniwal

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Kunal Dawar, Senior Advocate, with
Mr. Saurav Bajaj, Advocate, and
Mr. Devesh Bhatia, Advocate,
for the petitioner
Mr. Rupam Aggarwal, Advocate,
for the respondent.

VIKRAM AGGARWAL, J. (ORAL)

The instant petition, preferred under Article 227 of the Constitution of India, assails the order dated 07.02.2026 (Annexure P-12), passed by the Court of Civil Judge (Sr. Divn.)/Executing Court, Gurugram, vide which conditional warrants of arrest were issued to secure the presence of the petitioner and for satisfaction of the decree.

2. The facts, as emanating from the petition, are that a suit for possession and damages/mesne profits was instituted by the respondent/plaintiff/Decree Holder (hereinafter referred to as 'DH') against the petitioner/defendant/Judgment Debtor (hereinafter referred to as 'JD'). The said suit was decreed by the Court of Senior Civil Judge-cum-Rent Controller (North-West), Rohini Courts, Delhi, vide judgment dated 23.12.2024 (Annexure P-1).

3. Thereafter, execution proceedings were instituted in Delhi, pursuant to which, possession of the property in question was taken by DH.



Since the JD had no assets in Delhi, the execution petition was transferred to Gurugram by way of order dated 31.10.2025 (Annexure P-2).

4. DH filed an execution petition (Annexure P-3) before the Court of Civil Judge (Sr. Divn.), Gurugram, for recovery of Rs.6,03,404/- invoking provisions of Order XX1 Rule 22 of the Code of Civil Procedure, 1908 (for short, 'CPC'). The Executing Court, vide order dated 19.12.2025 (Annexure P-5) ordered attachment of the office of JD.

5. Meanwhile, third party objections (Annexure P-8) were instituted by the wife of the petitioner, who happened to be the Director of one M/s Lifeguard Pharma Private Limited. The said objections were opposed by way of a reply (Annexure P-10).

6. An application for issuance of conditional warrants of arrest against the petitioner (JD) was also filed.

7. Vide impugned order dated 07.02.2026 (Annexure P-12), conditional warrants of arrest were issued qua the JD. Aggrieved by the said decision, the instant revision petition has been preferred.

8. I have heard learned counsel for the parties.

9. In essence, learned Senior counsel for the petitioner (JD) has submitted that while conditional warrants of arrest were issued, the procedure prescribed under Section 51 and Order XX1 Rule 37 CPC was not followed, inasmuch as no notice was issued.

10. Per contra, the stand taken by learned counsel for the respondent (DH) is that the conditional warrants of arrest were issued only to secure the presence of the JD. He further submits that JD is not causing appearance, which is causing prejudice to the rights of DH.



11. I have considered the submissions made by learned counsel for the parties.

12. Concededly, the impugned order has been passed without following the procedure as laid down under Section 51 and Order XXI Rule 37 CPC, for, no notice was issued to the petitioner (JD). Be that as it may, learned Senior counsel representing the petitioner (JD) very fairly submits that JD will cause appearance before the executing Court on the date fixed, i.e. 18.04.2026.

13. It has also been brought to the notice of the Court that third party objections filed by the wife of JD stand dismissed vide order dated 17.02.2026. However, learned Senior counsel for the JD submits that appropriate remedies, as shall be admissible in law, shall be availed against the said order.

14. In view of the above, the impugned order is set aside insofar as it directs issuance of conditional warrants of arrest of the petitioner (JD). However, in terms of the statement given by learned Senior counsel for the petitioner (JD), the JD shall cause appearance before the executing Court on the date fixed, i.e. 18.04.2026.

15. The revision petition accordingly stands disposed of.

16. Pending application(s), if any, also stands disposed of.

(VIKRAM AGGARWAL)
JUDGE

April 2, 2026

Rajan

Whether speaking / reasoned:

Yes/No

Whether Reportable:

Yes/No