



CR-2350-2026 (O&M)

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

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CR-2350-2026 (O&M)

DATE OF DECISION: 12.03.2026

SALINDER KUMAR

....PETITIONER

VERSUS

SEWA SINGH

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Charanpreet Singh, Advocate
for the petitioner.

YASHVIR SINGH RATHOR, J. (ORAL)

1. This revision petition has been instituted under Article 227 of the Constitution of India for setting aside the impugned order dated 04.10.2025 (Annexure P-4) passed by the learned Additional Civil Judge (Senior Division), Kharar in Execution Case No.51 of 2023, vide which the salary of the petitioner to the extent of 1/3rd has been ordered to be attached.

2. In view of the nature of the order proposed to be passed, issuance of notice to the respondent is dispensed with as it would only delay the proceedings and cause unnecessary expenditure to the respondent.

3. I have heard the learned counsel for the petitioner/revisionist and have perused the material available on record.

4. Learned counsel for the petitioner submits that an ex parte decree for recovery of Rs.1,15,000/- was passed against him along with



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interest @ 9% per annum vide judgment and decree dated 28.07.2017 (Annexure P-1). Thereafter, he paid a sum of Rs.1,20,000/- to the decree-holder through a demand draft dated 06.08.2019 (Annexure P-2). However, the decree-holder has now initiated execution proceedings and the learned Executing Court has attached his salary to the extent of 1/3rd and has ordered recovery of Rs.1,91,000/- vide impugned order dated 04.10.2025 (Annexure P-4). It is contended that the payment of Rs.1,20,000/- by way of demand draft (Annexure P-2) has not been deducted and the entire amount is sought to be recovered and his objection petition in this regard has not been decided.

5. In view of the aforesaid contentions and documents placed on record, the present petition is disposed of with a direction to the Executing Court to obtain the calculation from the decree-holder along with an affidavit regarding the actual amount due. The judgment-debtor (JD) will also furnish his calculation and the Executing Court will thereafter pass an appropriate order for recovery of the balance amount after deciding the objections filed by the JD. It is clarified that till the decision of the objections, no further recovery shall be effected from the salary of the petitioner.

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

12.03.2026

Vishal Vardhan

(YASHVIR SINGH RATHOR)

JUDGE

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