



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

122

CR-3493-2026

Date of decision: 19.05.2026

RIKHI RAM AGGARWAL

...Petitioner

Versus

MOHAN LAL SURINDER KUMAR

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. K.K. Goel, Advocate for the petitioner.

YASHVIR SINGH RATHOR. J.(Oral)

1. This revision petition is directed against the order dated 16.03.2026 (Annexure P-5) vide which the Executing Court has rejected the claim of judgment debtor that only a sum of Rs.11,96,000/- is the decretal amount and he is not bound to pay any pendente lite and future interest.
2. I have heard learned counsel for the petitioner and have gone through the material placed on the file.
3. It is pertinent to mention that the plaintiff-decree holder had instituted a suit for recovery of a sum of Rs.11,96,000/- which included principal sum of Rs.10,00,000/- and interest amount of Rs.1,96,000/- upto 17.04.2017. Vide judgment and decree dated 03.08.2019, suit was decreed and plaintiff was held entitled to recover a sum of Rs.11,96,000/- alongwith pendente lite interest @ 8% per annum from the date of filing of suit till the date of decree and future interest @ 6% per annum from the date of decree till realization (as verified from e-Courts system of District Court, Barnala).
4. During the pendency of the execution petition, conditional arrest warrants were issued against JD-petitioner and against the order passed by the



learned Executing Court, JD-petitioner instituted Civil Revision No.1228 of 2023, which was disposed of vide order dated 26.04.2023 by a Co-ordinate Bench of this Court, on account of some mutual understanding and consensus arrived at between the parties with the following directions:-

“The petitioner shall continue to deposit with the executing Court a sum of Rs.2,00,000/- per month, in terms of the undertaking given before this Court, on or before 10th day of every month and till the completion of payment towards the entire decretal amount;

Till such time, the petitioner continues to abide by the aforesaid undertaking and continues to deposit Rs.2,00,000/- per month, as aforesaid, the conditional warrant of arrest issued against the petitioner-judgment debtor shall remain in abeyance and upon having deposited the entire decretal amount with the executing Court, the same would become inoperative;

The petitioner will remain bound by his undertaking given by way of affidavit dated 02.03.2023 and that before this Court, as recorded in this order.”

5. It is pertinent to mention that the execution petition was instituted for recovery of Rs.14,89,761/- and thereafter, the Judgment Debtor had agreed to pay the decretal amount by way of installments of Rs.2,00,000/- per month and he had also furnished an affidavit dated 02.03.2023 before the Co-ordinate Bench of this Court in Civil Revision No.1228 of 2023, which reads as under:-

“1. That this Hon’ble Court has passed an order on 23.02.2023 and have understood the same and therefore in compliance of the same the deponent is filing the present affidavit.

2. That the deponent who is judgment debtor will start depositing Rs.2,00,000/- per month towards the decreetal amount within fortnight from today. The first installment of Rs.2,00,000/- will be



deposited in the executing court on or before 10.03.2023 and thereafter on every 10th day (10th day) w.e.f. April 10th , 2023 every month and till the completion of the payment of the decretal amount.

3. That the contents of the present affidavit clearly shown that the deponent made the present offer which is bona fide intention.”

6. A perusal of the affidavit furnished by the JD as well as direction issued by the Co-ordinate Bench in para No.13(i) shows that he had agreed and the Court had permitted him to pay the decretal amount by way of installments of Rs.2,00,000/- per month till the entire decretal amount is paid. Now, a plea has been raised by JD-petitioner that only a sum of Rs.11,96,000/- was to be paid which is the decretal amount and he is not bound to pay any interest. However, this plea raised by JD-petitioner cannot be accepted as the petitioner has specifically undertaken to pay the “entire decretal amount” and as such, the decretal amount will include the principal sum of Rs.11,96,000/- regarding which suit was decreed. In addition to this, he is also liable to pay pendente lite interest @ 8% per annum from the date of filing of suit till the date of decree besides future interest @ 6% on the principal sum of Rs.11,96,000/- till realization. Learned Executing Court has also thus rightly directed the JD to pay the interest amount and the impugned order thus does not suffer from any manifest error or material illegality so as to call for interference by this Court.

7. Resultantly, the petition in hand is ordered to be dismissed.

19.05.2026

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Whether speaking/reasoned.
Whether Reportable.

(YASHVIR SINGH RATHOR)
JUDGE

: Yes/No
: Yes/No