



CR No. 3532 of 2026 (O&M)

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121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 3532 of 2026 (O&M)
DATE OF DECISION: 27.04.2026

JASWINDER SINGH

.....PETITIONER

Vs.

PUNJAB GRAMIN BANK

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Shiv Kumar Sharma, Advocate,
for the petitioner.

AMARINDER SINGH GREWAL, J.(ORAL)

1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for issuance of appropriate directions to the Court of learned Additional Civil Judge (Senior Division), Kapurthala, *i.e.*, the Executing Court, in case bearing No. EXE-67-2025, titled as '*Punjab Gramin Bank vs. Jaswinder Singh*', to decide the application of the petitioner (Annexure P-4), whereby the petitioner has sought stay of the execution proceedings till the final disposal of his application filed under Order IX Rule 13 of the Code of Civil Procedure, 1908, for setting aside the *ex parte* judgment dated 27.10.2022 (Annexure P-1), passed against the petitioner/Judgment Debtor (JD), before proceeding further with the aforesaid Execution Petition bearing No. EXE-67-2025, wherein the property of the petitioner has been put to sale on 30.04.2026, vide order dated 11.03.2026 (Annexure P-3).



2. Brief facts of the case are that the respondent—‘Punjab Gramin Bank’, through its Branch Manager, had filed a suit for recovery of ₹14,05,310/-, inclusive of interest charged up to 23.05.2022, *i.e.*, the date of filing of the suit, along with future interest @ 12% per annum, against the present petitioner. Notice of the said suit was duly served upon the present petitioner; however, he failed to appear before the learned trial Court and was, accordingly, proceeded against *ex parte*. Ultimately, the suit was decreed in favour of the respondent—‘Punjab Gramin Bank’ (plaintiff) for recovery of ₹14,05,310/- along with *pendente lite* and future interest @ 6% per annum with yearly rests and costs till realization of the entire decretal amount.

2.1 Thereafter, the respondent–plaintiff filed an Execution Petition bearing No. EXE-67-2025 before the learned Executing Court. The learned Additional Civil Judge (Senior Division), Kapurthala, ordered the property of the petitioner to be put to auction on 30.04.2026, in terms of order dated 11.03.2026 (Annexure P-3).

3. Learned counsel for the petitioner has contended that an application (Annexure P-4) seeking stay of the execution proceedings till the decision of the application under Order IX Rule 13 CPC for setting aside the judgment and decree dated 27.10.2022 (Annexure P-1), has already been filed by the petitioner before the learned trial Court and the same is still pending.

3.1 It is further submitted that till the decision of the aforesaid application moved by the petitioner under Order IX Rule 13 CPC, the operation of the impugned judgment and decree dated 27.10.2022



(Annexure P-1), as well as the operation of the impugned order dated 11.03.2026 (Annexure P-3), whereby the property of the petitioner has been put to sale on 30.04.2026, be stayed.

4. Since the prayer made by learned counsel for the petitioner is an innocuous one, issuance of notice to the respondent is dispensed with, as the same would unnecessarily delay the proceedings.

5. Keeping in view the facts and circumstances of the case and after hearing learned counsel for the petitioner, this Court is of the considered opinion that the petitioner has already moved an application (Annexure P-4) before the learned Executing Court seeking stay on the proceedings till the decision of the application under Order IX Rule 13 CPC. Since valuable rights of the petitioner are involved, it would be appropriate that till the decision on the said application (Annexure P-4), the operation of the impugned judgment and decree dated 27.10.2022 (Annexure P-1) and the operation of the impugned order dated 11.03.2026 (Annexure P-3) shall remain stayed.

6. Consequently, without commenting anything on the actual merits of the case, the present petition is disposed of with a direction to the learned Executing Court that till the decision on the application (Annexure P-4) moved by the petitioner under Order IX Rule 13 CPC, the operation of the impugned judgment and decree dated 27.10.2022 (Annexure P-1) and the operation of the impugned order dated 11.03.2026 (Annexure P-3) shall remain stayed.

7. The learned Executing Court is directed to decide the said application as expeditiously as possible.



8. Pending miscellaneous application(s), if any, shall also stand disposed of.

APRIL 27, 2026

(AMARINDER SINGH GREWAL)

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JUDGE

Whether Speaking

Yes/No

Whether Reportable

Yes/No