

2026:PHHC:067270



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

CR-3693-2026

Date of Decision: 01.05.2026

M/S ROHIT FOOD PRODUCTS & OTHERS

....Petitioners

Versus

NARESH KUMAR & ANOTHER

...Respondents

**CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. Surinder Garg, Advocate  
for the petitioners.

**PARMOD GOYAL, J. (ORAL)**

Present civil revision petition under Article 227 of Constitution of India has been preferred by petitioners/judgment debtors being aggrieved by order dated 27.03.2026 (Annexure P6), passed by learned Additional Civil Judge (Senior Division), Budhlada, whereby application filed by respondent No.1/decree holder under Order XXI Rule 66 CPC has been allowed and sale warrants of attached property have been issued.

2. I do not find any error with the impugned order dated 27.03.2026. Mere filing of appeal or an application under order IX Rule 13 CPC would not make a judgment debtor entitled to stay the execution of decree passed in favour of decree holder. The petitioners/judgment debtors have got efficacious remedy with them and in the case of appeal they can always pray for stay of execution of decree by moving appropriate application under order XLI Rule 5 CPC and in case of application under Order IX Rule 13 CPC appropriate application for stay of proceedings in the

execution petition can always be filed before the Court where the said application is pending.

3. In the present case, application under Order IX Rule 13 CPC stands dismissed and against said order appeal has been preferred by the present petitioners/judgment debtors, therefore, the remedy available with petitioners/judgment debtors is to approach the learned Appellate Court and seek appropriate interim orders in accordance with law. As far as impugned order is concerned, there is no infirmity in the said order. There is no merit in the revision petition, hence is dismissed.

4. It is however made clear that in case petitioners/judgment debtors approach the learned Appellate Court, their application be decided expeditiously.

5. Pending application(s), if any, is/are disposed of accordingly.

01.05.2026  
chiranjeev

**(PARMOD GOYAL)**  
**JUDGE**

|                           |   |        |
|---------------------------|---|--------|
| Whether Speaking/Reasoned | : | Yes/No |
| Whether Reportable        | : | Yes/No |